THE

HISTORY

OF THE

MEDITERRANEAN FLEET

From 1741 to 1744,

WITH

The Original Letters, &c.

That paſſed between the Admirals

Matthews and *Leſtock.*

ALSO

All the other TRACTS on that important Affair.

With COPPER-PLATES.

Now collected into One VOLUME.

The SECOND EDITION.

LONDON:

Printed for J. MILLAN, oppoſite the *Admiralty-Office.*

MDCCXLV.

Whitehall, March 21, 1743-4.

Late laſt Night a Courier arrived here with an Account from Admiral Matthews, (*dated the 29th of* Feb. O. S. *in* Mahon *Harbour*) *of what paſſed in the Engagement near* Toulon, *between His Majeſty's Squadron under his Command, and the combin'd Fleets of* France *and* Spain, *and of his Proceedings ſubſequent thereto, which is in Subſtance as follows:*

THAT the *Somerſet*, *Dragon* and *Warwick* joined the Admiral the 3d Inſtant: That on the 8th he received Advice, that three Expreſſes came to *Toulon* the Day before, in a very ſhort Diſtance of Time, one after the other: That he was likewiſe informed, that the conjunct Fleet would put to Sea the next Morning: That between three and four that Afternoon, Capt. *Marſh* of the *Winchelſea* (one of the Ships appointed to watch the conjunct Fleet's Motions) made the Signal for ſome of the ſaid Fleet being under Sail; upon which he made the Signal for unmooring, and putting the Ships in a Condition for Action, which

was done with the utmoſt Alacrity and Expedition: That in leſs than half an Hour, they could ſee ſeveral of them from their Ships: That the Signal was made by Capt. *Marſh*, before it was dark, for ſeeing nineteen Sail, and about two in the Morning he ſent the Admiral Word, that they had anchored again under Cape *Sepet*: That as ſoon as it was Day they ſaw thoſe, that came out the Night before, under Sail, and in a very little Time the reſt coming out, their Number in all being 34: That the Admiral then got under Sail, the Wind blowing very freſh weſterly, expecting they would have come down to him; but ſoon found they had no ſuch Intention, at leaſt for that Day, for they kept plying to Windward, though there was all the Appearance of dirty Weather, and ſome of the weathermoſt Ships were, at Night, Hull-to: That he therefore ſtood to and fro in the Bay till Night, and then anchored, having left Cruizers out to watch their Motions; during which the *Warwick* touched the Ground, but by ſtarting 30 Tuns of Water, was got off about nine that Night, without any other Damage,

That by Break of Day the next Morning, our People ſeeing from the Maſt-head 15 Sail (the reſt being hid by the Iſland of *Porquerole*) the Admiral immediately got under Way, having but little Wind, and that at North, and made all the Sail he could to get to them, they ſtanding at the ſame Time towards the *Engliſh* Fleet with a ſmall Breeze weſterly: That after an Hour or two's Calm, there ſprung up a ſmall Breeze eaſterly, by which Means they near'd each other. That at the ſame Time the *Boyne* and *Chicheſter* appeared in Sight from under *Levant* Iſland; and the eaſterly Wind

pre-

prevailing, they, and a Tender with Proviſions from *Mahon*, ſoon joined the Admiral, having had the good Fortune to fall in with the Land to the eaſtward, without which they muſt have fallen into the Enemies Hands. That the Enemy brought-to in a Line of Battle; but, for Want of Wind, and having a very ugly Sea, it was Night before the Admiral could get near them, having had the Signal out all Day for the Line of Battle, and kept it out for ſome Time after it was Night. At Dusk he brought-to, within a little more than three Gun's Shot of them, and order'd the *Eſſex* to lie a Mile to Leeward of him, and the *Winchelſea* a good Musket's Shot to Leeward of the *Eſſex*, to watch their Motions, and to make the proper Signals, and ſtand after them, in caſe they ſhould make Sail: That they were ſo near, that he could count the Enemies Ships after the Moon was down, but could not at the ſame Time ſee Vice-Admiral *Leſtock* and his Squadron, he having brought-to ſo far to Windward, that, when it was dawning, and the Admiral had made Sail, and the Signal for the Line of Battle a-breaſt, the Vice Admiral was full five Miles a-ſtern of him: That the Enemy alſo made Sail, and went with their Topſails and ſometimes ſet their Foreſails.

That about eleven, the *Royal Oak* and two Tenders with Proviſions from *Mahon* join'd the Fleet, having luckily fallen into the Eaſtward.

That Rear-Admiral *Rowley* led the Van, but could never come near the *French* Squadron, as M. *de Court* would ſometimes lie-to, as if he deſigned ſtaying for them; but when they drew near him, he made Sail again, till at laſt he had left moſt of the *Spaniſh* Ships a good Way a-ſtern of him: That

the Admiral was then fully convinc'd he never would come to a general Engagement, but judged his Deſign was, by his Way of acting, to draw him down the *Streights*: That about half an Hour after eleven, the Admiral made the Signal for engaging, and ſoon after bore down upon the *Spaniſh* Admiral, and ordered the *Marlborough* to do the ſame: That the Action began about one: That the *Norfolk* engaged M. *Navarro* (the *Spaniſh* Admiral's) Second, who ſoon bore away, and never ſhortened Sail, whilſt they could ſee her. The reſt of the Admiral's Diviſion a-head engaged thoſe a-head. The *Marlborough* driving a little too near the Admiral, obliged him to fill his Sails, to prevent her coming on board him. That the little Time Mr. *Matthews* was engaged, they greatly diſabled his Maſts and Rigging; and that having but little Wind, and an ugly Swell, his Mizen Topſail handed, to prevent the Maſts and Rigging tumbling about their Ears, hindered their working the Ship, though he reeved new Braces three ſeveral Times; ſo that he could not give the *Marlborough* the Aſſiſtance Capt. *Cornwall* wanted, whoſe Behaviour is mentioned by Mr. *Matthews* to merit all imaginable Praiſe; and whoſe unfortunate Fate he greatly laments. That the Enemy were extreamly well ſerved with Gunners, the *French* training up a great Number of them, and having been exerciſing them at a Mark for upwards of three Months before the Engagement: That the *Marlborough*'s Main-maſt was brought to by the Board, as if it had been but a Twig; and that the Admiral's Main-maſt and his Bowſprit were ſhot through and through, and the former had only two ſhrouds to ſupport it; and all his Top-maſts were wounded. That the Enemy fired chiefly at

our

our Masts and Rigging; for though the Admiral engaged within Pistol-shot, he had but nine Men killed outright, and 40 wounded. That his Captain's Arm was shot off the first Broadside. That the *Spanish* Admiral's Ship the *Real* was totally disabled; and when Mr. *Matthews* attacked her Second, she soon bore away, and made all the Sail she had in her Power to set. That he then made the Signal for the *Ann Galley* Fire-ship to burn the *Real*; but that her Commander was so tedious in priming her, and in coming down, that the four Ships a-stern got so near her, as to prevent her Success; when by some of their Shot, or some other unlucky Accident, she blew up (being then within Pistol-shot or less of the *Real*) with her Captain and several of her Men; and also the *Spanish* Admiral's great Launch full of Men, which had been sent to prevent the Fire-ship from boarding him. That the Admiral was himself at the same Time within Musket-shot of the *Real*, and was afterwards engaged within less than Musket-shot by the same four Ships, which had passed by Mr. *Lestock*; which Ships the Rear of the Admiral's Division engaged, but at too great a Distance.

That the *Somerset*, *Princessa*, *Dragon*, *Bedford* *Kingston* and *Berwick*, engaged the rest of the *Spaniards* a-head: That one Ship of 60 Guns of the Enemies fell into our Hand; and that during this Time M. *de Court* let the Rear-Admiral *Rowley* come along-side of him, when they had warm Work for near three Glasses, as had the *Princess-Caroline*. That after that Time, M. *de Court* set his Foresail, and left Mr. *Rowley*, who was then engaged by the *French* Admiral's two Seconds, but not above twenty Minutes, before they went off:

That

That there were but three of the *French* Ships engaged, the reſt kept their Wind in order to tack and weather us; but that our Van keeping the Wind of them, prevented their Deſign taking Place. That the Night coming on with little Wind, and a very great Swell, hindered our improving the Advantage we had got: And that the *Barfleur* had 18 Men killed, and 38 wounded.

That notwithſtanding the *French* tack'd upon Rear-Admiral *Rowley*, they did not think proper to engage him: they, however, retook the *Spaniſh* Ship, it being impoſſible to do any thing with her, as ſhe had not a Maſt ſtanding, and as it was near dark, and the whole *French* Squadron had tack'd upon them; that thereupon Capt. *Hawke* of the *Berwick* left her, but could not get his Lieutenant and 23 Men out of her, his firſt Lieutenant having done all he could to perſuade the Men to quit her, but in vain.

That about eight at Night the Admiral ſhifted his Ship, and hoiſted his Flag on board the *Ruſſel*, Capt. *Long*, not caring (ſhould there be an Engagement the next Morning) to risk the falling of all his Maſts. That at Break of Day they ſaw the Enemy's Fleet again to Leeward of them, and found they had towed all the crippled Ships before the Wind all Night. The Admiral chaced them again, the *French* lying in a Line of Battle to windward of the *Spaniards*, moſt of them hull-to; but as he drew near them, they made Sail, and left the diſabled 60 Gun Ship. The Admiral then ſent the *Eſſex* a-head, and ordered Capt. *Norris* to burn the ſaid *Spaniſh* Ship (not being able to ſpare any of his Squadron to carry her to *Minorca*) which Capt. *Norris* did, and ſhe blew up about half an Hour after

after nine at Night. That there was great Reaſon to believe, that if there had been any Wind, the *French* would have left the *Spaniſh* crippled Ships, as moſt of them had ſuffered greatly.

That in the Afternoon Capt. *Watkins* of the *Burford* joined the Fleet; he had been in *Hieres* Bay the Day before, and hearing the Report of Guns, and ſeeing the Smoak, he made directly for it.

That at Night the Admiral brought to, that the ſternmoſt Ships might get up with him. That he ſaw the Enemy again the next Morning, but at a great Diſtance.

That after the Admiral had loſt Sight of the Enemy's Fleet, and found all his Endeavours to rejoin them, or procure Intelligence of them, ineffectual (they being gone, as he ſuppoſed, down the *Streights*) he laboured for ſeveral Days, againſt contrary Winds and Storms, to get back to the Bay of *Hieres*, which however he found impracticable, and was obliged to put into *Port Mahon*, where he was at an Anchor the 29th paſt, and propoſed to get again out to Sea the firſt Moment that the neceſſary Reparations could be made of the Damages ſuſtained by ſeveral of his Ships, as well in the Engagement with the *French* and *Spaniſh* Fleet, as in the conſtant Storms and foul Weather he has ſince met with.

As the Admiral had not then had his Returns from the ſeveral Captains, who were engaged, of the Loſs they might ſuſtain in the Action, he was not able to ſend the Particulars thereof by this Courier.

All that he mentions upon that Head, beſides what is above, is that the *Marlborough* loſt in the Action 43 Men, her Captain and Maſter included, had 90 wounded, who had been ſent to the Hoſpi-

tal

tal in *Minorca*, and 30 ſlightly wounded, who remained on board, and would ſoon be able to do their Duty.

N. B. The *Gentleman*'s *Magazine* for the Month of *March*, 1744, obſerves, that the above Account, publiſhed by Authority *(at the Price of Sixpence)* and in the *Gazette* next Day, is the moſt defective, confuſed, obſcure and contradictory State Paper, perhaps, that ever appeared; and therefore finds it neceſſary to inſert between [ ] ſome Explanations.

The Author has alſo altered three or four Expreſſions, and omitted the Word THAT after every Colon; and for the better Information of his Readers he has added Notes to this Account from ſeveral Letters, to which he ſays, tho' better written, he can only refer to the *Gentleman*'s *Magazine* for the Month of *March*, Page 170

A

NARRATIVE

OF THE

PROCEEDINGS

OF HIS

MAJESTY's FLEET

In the MEDITERRANEAN,

AND THE

Combined Fleets of FRANCE and SPAIN,

From the Year 1741 to MARCH 1744.

INCLUDING

An accurate Account of the late FIGHT near TOULON, and the Cauſes of our Miſcarriage:

The LINES of BATTLE on both Sides:

PLANS of VILLA FRANCA, NAPLES, HIERES BAY, TOULON, GIBRALTAR, and CADIZ:

ALSO

The FRENCH Admiral's JOURNAL.

THE THIRD EDITION,

With Notes, Original Papers, Letters, many uſeful Obſervations, and Admiral VERNON's additional Signals, greatly wanted on the late Occaſion, never printed before.

Let not a Torrent of impetuous Zeal
Tranſport thee thus beyond the Bounds of Reaſon.
True Fortitude is ſeen in great Exploits,
That Juſtice warrants, and that Wiſdom guides:
All elſe is tow'ring Frenzy and Diſtraction.
Are not the Lives of thoſe who draw the Sword
In ROME's Defence intruſted to our Care? ADD. CATO.

LONDON,

Printed for J. MILLAN, near Whitehall. MDCCXLV.

(Price Two Shillings and Six Pence ſewed.)

TO THE OFFICERS and SEAMEN WHO WERE EYE-WITNESSES.

GENTLEMEN,

I Take the Liberty to dedicate to you this Relation, now come to a third Edition with Notes. You are the beſt Judges of it's Veracity, Candor, and Sincerity; and to you I ſubmit every Part of it, being ready to make ſuch Alterations as you ſhall prove to be neceſſary and juſt: For, however much I may be concerned, no Man holds more in Deteſtation, than myſelf, the ſpreading a perſonal Injury, or miſleading the Publick. And it was for this Reaſon that the Bookſeller was directed to write the following Letter.

" SIR,

" I am preparing to print a third Edition of the " *Narrative of the late Action in the* Mediterranean, " *with Notes:* If there is any thing in the former " Editions not ſtrictly true, if you will be pleaſed to " ſignify your Objections by the Hand of your Secre- " tary, I will take upon me to print them at the End " of this Edition of the ſaid Pamphlet. I would " not give Offence, being with the greateſt Reſpect,

" SIR, Your moſt obedient humble Servant,

" To the Hon. Adm. *Mathews.* JN°. MILLAN."

Mr. *Millan*, after waiting ſome Time at Mr. *Mathews*'s Houſe, was told, there was no Anſwer to the above Letter.

I was an Eye-witneſs; but, not ſatisfied with my own Obſervation and Judgment, I have converſed with Gentlemen that were in the Van of our Fleet,

the Center, and Rear, whoſe Converſation and Remarks have confirmed this Narrative: So that, as none of the Facts have been publickly contradicted, they ſeem to want no other Alteration. I have alſo read Admiral *Mathews*'s Account, publiſhed by Authority, and I have extracted moſt Part of it into Notes, in this new Edition, to prove the Faithfulneſs of my Relation. I have done my utmoſt to come at the Truth; and if there is any one adventurous enough among you to think otherwiſe, do Juſtice to the Public, and take the Pains that I have done to lead them to Truth, and the Cauſes of this unfortunate Miſcarriage; I will, in that Caſe, either yield to you, openly recant, and avow my Repentance to the Public, or undeceive you, and from your Miſapprehenſion, or Partiality, confirm the World in my Opinion. But if none dare fairly enter the Liſts, but run to Coffee-houſes and other publick Places, condemning this Relation in the groſs, without entering into Particulars, or diſcuſſing the many different Facts; to thoſe I ſpeak to little Purpoſe, for Truth, Reaſon, or Argument will have no Power over them: It is to the unprejudiced Officers and Men of Underſtanding that I ſpeak; as it is not every Man who bears a Commiſſion, from the Admiral downwards, that can be called ſtrictly an Officer; for in every Rank there are ignorant Men, perfect Strangers to Diſcipline and Duty: To their Falſhood and Folly I ſay, read my Preface.

I am ſenſible, how difficult a Taſk it is to remove Prejudice and Error, even among the moſt ſenſible Men: Where Prepoſſeſſion, Inclination, and Intereſt lead their Minds, every trifling, plauſible and ſpecious Plea combine to hoodwink their Reaſon and Impartiality,

tiality, till at laſt their Senſes are quite given up, and they are fixed in an Opinion to that which will not bear the Light and a fair Examination. It often happens, that Innocence falls a Sacrifice to popular Clamour, Power, and Intereſt; and on a ſudden it unexpectedly ſhines out from it's Obſcurity, in all it's Glory and true Luſtre. Our Hiſtory is full of ſuch Examples; one Age condemning with Paſſion and Fury, and the next, free from Prejudice, reverſing the Sentence, applauding, and idolizing. Hitherto you have ſeen one Gentleman ſet up as a Butt, and, from the firſt News of this fatal Miſcarriage, all Degrees of Men drawing Arrows from their Quivers, dipt in the deadly Poiſon of Detraction, to ſhoot at him. Whatever Anguiſh of Heart he might feel to ſee them all aimed at him, yet none hit him; they either fell ſhort, or outreached him: And lately, only the raſh and unthinking Multitude have drawn their Arrows from the ſame Shaft, and aimed them at him. Theſe have been followed by the Dregs of the People and the Refuſe of Mankind, Men incapable of forming a juſt Judgment, or of being directed otherwiſe than by the firſt Impreſſion, which is indelible, never to be eradicated by Reaſon and Innocence. Hence by the favourable Reception this Pamphlet has met with, it has been of ſome Uſe to detect Malice and it's Adherents, and the baſe Artifices of deſigning Men, who, by Miſrepreſentation and the Ruin of the innocent, laboured to ſecure their own Intereſt and Safety, to prevent publick Diſhonour, Cenſure, and Diſgrace, the open Detection of the moſt notorious Miſconduct, the moſt glaring Errors and Blunders, and the moſt unheard of Temerity and Folly: It ſtopt the Clamour of many ſcandalous Inſinuations againſt

againſt one Party, and the fulſom Praiſes and Exultations in behalf of the other; ſuch as no Vanity nor Haughtineſs of Temper could have expected. At it's firſt Appearance the Enemies to Truth whiſpered, Malice and Ill-nature, with ſcurrilous Reflections, to be predominant throughout the Relation; but none of theſe Whiſperers undertook to prove it, for the Satisfaction of the Public. If Truth, in Defence of the Innocent, and the Detection of the Guilty, who exulted and triumphed over the Ruin of the innocent, is Calumny or Ill-nature, this Book is full of it.

You are the beſt Judges what Truths or Falſhoods are here inſerted; and you are called upon, by this Dedication, and your Duty to the Public, either to confeſs or contradict them. My Anxiety is over: Our injured Country, that felt, and continues to feel the unhappy Conſequences of this fatal Miſcarriage, this Diſhonour to our Fleet, and Diſgrace to our Annals, is big with Expectation: The Eyes of all *Europe*, as well as thoſe at home, are ſtedfaſtly fixed upon the honourable Committee of the Houſe of Commons, and abſolutely depend on it, to diſtinguiſh the Difference between Juſtice and Malice, aſcertain the fatal Source of the true Cauſes of this Failure and Misfortune, to detect the guilty, fix unalterably the Blame where it ſhould lye, point the general Odium and Outcry, and aſſert and clear the Honour and Reputation of the Innocent.

Upon you it depends to give a faithful Evidence; not, on any Conſideration, to defend another's Reputation at the Expence of your own. Truth is regular and uniform: Be not diſmayed at the Appearance of ſo great an Aſſembly. There needs no Faintneſs and Palpitation at the Heart to ſpeak the Truth.

If you have not been cloſeted, if your Log-books, on frivolous Pretences, have not been altered, nor no indirect Practices uſed, why ſhould you tremble and be over-awed?

Conſider yourſelves aſhore as free-born *Engliſhmen*; ſpeak only what you know, without Favour, or Malice, or being influenced by either Party. Altho' Contradiction may be deemed Mutiny on board of Ship, yet before the grand Inqueſt of the Nation, where your Voice is called for to fix the Blame where it ſhould lie, you are only to ſay what Conſcience and the Uprightneſs of your Heart will fairly dictate to you: All elſe is Perfidy and Perjury. The Honour of your Country, in that of her Fleet, is here at ſtake: Follow Truth and Virtue, and deſpiſe the Dictates of an over-bearing Superior, that would lead you to be the Inſtrument of condemning the Innocent and clearing the Guilty.

Beware of Blunders; be as clear and explicit as poſſible; but do not pretend, at four Miles Diſtance, to judge within half a Point of the Compaſs, in a Ship's Courſe, while you are almoſt right a-head of her, and at the ſame time not ſee a Ship a-breaſt of you, within Muſket-ſhot, where there is no Obſtruction to the Sight. This ſeeing one Man's Faults better at four Miles Diſtance, than thoſe of another within one Mile, will give Room for Cenſure.

Do not ſay, that one Ship haled her Wind at three, and allow, at the ſame Time, that the *French* had tacked on the Van of our Fleet: For this will ſerve to invalidate your Evidence, as it is ſo well known that the *French* Squadron did not tack till five, after the Fire-ſhip had miſcarried.

I recommend Truth: Adhere to it; let that Guide be your Sheet-anchor, and you will ride out the Storm. *I am*, GENTLEMEN, *&c.*

PREFACE.

HE that becomes an Author, without civilly accoſting the Reader at the Beginning, is thought to intrench upon good Manners: In pure Compliance to this Cuſtom, the Sailor, who never entered the Liſts before, with due Submiſſion addreſſes the Reader.

He is ſenſible there is nothing to recommend theſe Sheets, but Matter of Fact beyond Controverſy; which is related without Flowers or Gloſſes. A ſweet Period, or a delicate Cadence, is what his Profeſſion is unacquainted with: There needs no Finery of Language, or a pompous Parade of Words in a meer Narrative.

If he has advanced what may ſeem to be ſevere; he anſwers, Better the Guilty be detected, and feel the Weight of the Nation's Indignation, than the Innocent continue to be further injured and oppreſſed. Mr. Pope *ſays, "There is a Pleaſure in relating the Truth; which "is a Vanity at leaſt as excuſable as any Vanity can be, "when ſo many miſchievous Inſects are eternally at "work in cenſuring and calumniating People of Merit, "that they may have the Satisfaction of ſeeing them "looked upon no better than they themſelves deſerve.*

"Though an honeſt Mind is not in the Power of any "diſhoneſt one, let his Station be ever ſo exalted; and "to break it's Peace, there muſt be ſome Guilt or Con-"ſciouſneſs, which is inconſiſtent with it's own Princi-"ples; yet Malice and Injuſtice have their Day, like "ſome ſhort-lived Vermin, that die in ſhooting their own "Stings. Falſhood is Folly, and Liars and Calumnia-"tors at laſt hurt none but themſelves, even in this "World: In the next, it is Charity to ſay, God have "Mercy upon them! They were the Devil's Vicege-"rents upon Earth, who is the Father of Lies, and I "fear has a Right to diſpoſe of them.

A NAR-

ENGLISH Line of Battle 9.10.11.12 Feb. 1743-4

The Revenge to Lead with ye Starboard, & ye Sterling Castle with ye Larboard Tacks aboard.

Frigates &c.	Guns	Rate	Ships	Comanders	Guns	Men	Division.
Nonsuch a.			Revenge	Berkeley			
*Dartmouth a.			Elizabeth	Lingen	70	480	
Rumney a.	50	3	Buckingham	Towry			
Oxford a.			Ruſsel	Long	80	600	
Feverſham c.	40	2	NEPTUNE	LESTOCK			
Winchelsea c.	20			Stepney	90	770	V.A. LESTOCK.
Mercury F.S.	8	3	Torbay	Gascoign			
			Cambridge sd.	Drumond	80	600	
		4	Dunkirk sd.	Purvis	60	400	
		3*	Burford	Watkins	70	480	
		3	Royal Oak s.d.	Williams	70	480	
		4	Rupert s.d.	Ambrose	60	400	
Spence Sloop	20		Eſsex sd.	Norris	70	480	
Enterpriſe B.L.		3	Dorset-ſhire s.d.	Burrish	80	600	
Ann Galley F.S.	8		Marlborough s.	Cornwall	90	750	
Sutherland Hoſp	18	2	NAMUR s.	MATHEWS			
				Ruſsel	90	780	A. MATHEWS.
			Norfolk s	Hon. J. Forbes	80	600	
		3	Princeſsa sp.	Pett	70	650	
			Somerſett sp.	Sclater	80	600	
		4	Dragon s.p.	Watſon	60	400	
		3	Bedford s p.	Hon. G. Townshend	70	480	
		4	Kingſton s p.	Lovett	60	400	
		3	Berwick s	Hawke	70	480	
*Newcaſtle b.			Prs Caroline f.	Oſborn	80	600	
Guernſey b		2	BARFLEUR f.	ROWLEY de L'Angle	90	765	
Chatham b.	50		Boyne fd.	Frogmore			R.A. ROWLEY.
Saliſbury b.		3	Chicheſter fd.	Dilk	80	600	
Diamond d.	40		Naſsau	Lloyd	70	480	
Durſley d.		4	Warwick	Weſt	60	400	
*Seaford d.	20	3	Sterling Caſtle	Cooper	70	480	
Total 18	594	29			2150	15915	

		Ships	Guns	Men
Engd	of the Line	29	2150	15915
	Frigates &c.	18	594	3647
Abſent (beſides not½ Engaged		4	190	1230
Preſent in the time of Action		43	2554	18332
Total		47	2744	19562
French	of the Line	16	1822	19120
Spaniſh	of the Line	12		
Frigates &c		8	200	1400
Total of ye Combind Fleets		36	2022	20520

* Not present at the Engagement.

a, b } to be placed by { V.A. Lestock, R.A. Rowley } { opposite ye Enemy's Ships of the same Force.

c, d } Under Command of { V.A. Lestock, R.A. Rowley } { to attend the Enemys Frigates & Fire Ships

sd Fired at a distance at ye Spaniards

s Engaged with ye Spaniards

sp Mixd & fired at ye Poder until ye Berwick attack'd her.

f, fd Engaged with ye French { at a distance

FRENCH and SPANISH Line of Battle

Isabella to Lead with the Starboard, & the Boreé with the Larboard Tack.

Frigates &c.	Guns	Rate	Ships Names		Commanders	Guns	Men	Division
			Isabella	Don	Ignatio Dutabil[o]	80	900	to repeat Sig
			El Sobiero h	Don	Juan Baley Castro	60	600	
			S[t] Ferdinando h		Vel Condé de Vega Florida	64	650	
			Brilliante h		Blass dela Barrida	60	600	
			Alcon f		Joseph de la Rentiria	58		
			Hercules f		Cosm[o] Alvares	64	650	
Le Volage & 1 F.S.	20		Royal Philip f	Don	Juan Joseppo Navarro	114	1350	Com[dr] in y[e] 2[d]
			El Constant f		Auguſtine Eturiago	70	750	
			Poder f		Roderigo Urrutia	60	600	
			Neptune g		Henrico Oliveres	60	600	
			America g		Añibal Petruche	60	600	
			Orient g		Piacom Man[l] de Vilena	60	600	
			Solide k		Chateauneuf	64	650	
			Diamant k		Marrilart	50	550	
La Fleur	20		S[t] Esprit k		Puison		800	
Le Zephire, & 2 F.S.			Terrible k		De Court Lt Genl	74	850	Com[dr] in Chi
			Le Tigre		Saurin	50	550	
			Ferme		Deſorquart	74	800	
			Serieux k		Chelues	64	650	
			Furieux	Monſ[r]	Gravier	60	600	
			L' Eole		D[l] Albert	64	650	
			L' Aquilon		Vandeviel	48	500	
			L' Alcion		Laracao	54	500	
			Le Trident		Caileus	64	650	
L'Atalante & 1 F.S.	20		L' Eſperance		Gabaret Com[dr]		820	
			Le Duc d'Orleans		Douvez	74	800	Com[dr] in y[e] 3[d]
			Le Toulouse		Draſture	60	600	
			Le Boreé		Damaquart	64	650	
8		28	Total			1822	19120	

When the Engagement begun they were leading with their Larb[d] Tack & conſequenctly the Boreé led the Van, & the Isabella brought up the Rear. The 4 Frigates with their Fireships were to Leeward of their Line to be plac in the above order.

Le Zephire, La Fleur, Le Volage, L' Atalante — to attend y[e] — Terrible, S[t] Eſprit, Real Philip, Eſperance — *In time of Battle and in case of being disabled to Tow them out of the Line.*

The French (74, 60) Gun Ships had (36 Pounders on the Lower and 18 Pounders on y[e] upper Deck; 24 Pounders on the Lower and 12 Pounders on y[e] upper Deck)

The Spaniſh (above 60, under 60) Gun Ships had (24 Pounders on the Lower and 18 Pounders on y[e] upper Deck; 18 Pounders on the Lower and 12 Pounders on y[e] upper Deck)

f, g, h *Spaniards who* — *Engaged. Fired in paſſing with y[e] French. Fired at y[e] Fireship but did not reach her*

k *French who Engaged.*

A

NARRATIVE.

THE Nation, amongſt other Advantages, poſſeſſes in an eminent Degree the moſt valuable Privileges of having the Throne open to the Petitions of the Subjects, and enquiring into the true Cauſes of all Miſcarriages relating to the Government: Theſe Enjoyments, with the Liberty of the Preſs, have been always a Check upon an Adminiſtration, and the Means to ſecure and preſerve our Religion, Laws and Liberties.

A Miniſter, an Admiral, a General, or any public Officer, the Inſtruments of the Royal Authority, are inveſted with the Power to do good, but are reſtrained from doing ill. While they with a Diſintereſtedneſs, a Candor, and a Nobleneſs of Soul, uſe their Talents and Capacities in Purſuit of the true Intereſts of their Country; and by their Prudence and Courage ſurmount all Obſtacles and Difficulties; while pure Reaſon, Fortitude and Military Virtue appear to be the Rule of their Will, with a juſt Diſcernment in chuſing, and a Steadineſs in purſuing the beſt and wiſeſt Councils. When they govern with Wiſdom and Moderation, and unite in the ſame View to preſerve Independence Abroad and Union at Home; when they puniſh Evil and reward Merit with Diſtinction, employ the Superiority of their Ge-

nius only to make their Maſters Commands reſpected, and to add Strength to his Intereſt and Influence Abroad, in defeating and fruſtrating all the Deſigns and Attempts of his Enemies; ſuch an excellent Conduct, ſuch a warm Zeal for the public Good, never fail to receive great Applauſe: The Nation with one Voice pays all due Homage in ſinging the Praiſes of ſo much ſuperior Merit. But if, on the contrary, any of theſe Men who are Officers of the executive Power, ſhould not be Men of ſound Judgment; whoſe Reflection and Experience have rectified their Faults, but think every thing due to their ſuperficial Talents; Men whoſe Reſolutions are not fixed and ſteady, who are capricious and inconſtant, and continue to have the Vanity to think themſelves much wiſer than others; incapable of reaching the Heights and Depths of their Profeſſion, who have neither Wiſdom to diſtinguiſh what is juſt, Virtue to adhere to, nor Courage to put it in Execution; who are led by Inclination and Affection, Malice and Reſentment in the Service of the Public; ſuch ought to be looked upon as the Enemies of the State, and whether they fall into Errors and Blunders, by Pride, Ambition, and the different Paſſions which poſſeſs the Heart of a turbulent Spirit, or through wilfulneſs, Ignorance and Surprize, the People deteſt them, and load them with Imprecations.

The Miſcarriage of our Fleet in the *Mediterranean* is become a general Topic in Converſation. We have all along flattered ourſelves, eſpecially as ſo much Care had been taken to ſupply and reinforce that Fleet, till at laſt there were not more Ships left at Home, than were abſolutely neceſſary to diſappoint and defeat any Deſigns that might poſſibly be attempted by the *Breſt* and *Rochfort* Squadrons; that ſo great a Force, ſupported at ſuch an immenſe

immenſe Expence, ſo great a length of Time, with the Aid and Aſſiſtance of our good and powerful Ally, the King of *Sardinia*, would diſconcert all the Projects of our Enemies in that Quarter of the World, and infallibly fruſtrate the ambitious Views of *Spain*, in ſettling Don *Philip* in *Lombardy*; and if the combined Fleets of *France* and *Spain* came out to Sea, ſo great was our Dependence on the Strength of our Fleet, that we ſeemed to be perfectly ſure that their Deſtruction muſt inevitably enſue. Then all Murmuring among the People, under Pretence that the public Treaſury was exhauſted in maintaining uſeleſs Fleets would have ceaſed, when our *Mediteranean* Fleet had the Glory to finiſh a War, whereby our Commerce has ſo much languiſhed, and our Strength diminiſhed, and brought about an advantageous and honourable Peace, where this Commerce flouriſhed again under the Protection of our wiſe Laws, and Plenty became univerſal. But, alas! how great is our Diſappointment, when we find this Opportunity loſt, and the ſevere Neceſſity we are under of continuing theſe great Expences! Whether this Misfortune has proceeded from want of Experience in a great Command (agreeable to the late Duke of *Argyle*'s Obſervation) or a Capacity to execute ſo great a Deſign, Strength of Judgment, Military Diſcipline, precipitate Changes, a ready Vivacity in applying Expedients to what may have diſcompoſed the moſt prudential and beſt concerted Meaſures: Prudence, Addreſs and Policy at all Conjunctures, to prevent any ſudden Diſorder and Confuſion, or Miſconduct in the inferior Officers, Vigilance and Dexterity to ſurprize and attack, Reſolution to face Pain and Death, Neglect and Remiſneſs in the Execution of their Duty, with a ſtrict and ſpeedy Obſervance of all Orders; yet the *Nation*, thus injured, has an undoubted Right to make an Enquiry and cry aloud for Juſtice: To puniſh with the utmoſt Rigour is

Brutality and not Juſtice: But here, where the Intereſt of the Publick is ſo greatly concerned, a too extenſive Good-nature, which has not Force to puniſh ſo much Evil, would not be a Virtue, but a Weakneſs, which might produce the worſt of Conſequences. It is to be hoped that this will become the Wiſdom of a parliamentary Enquiry, as it is at leaſt of an equal Importance with the unhappy *Porteous*'s Affair; and then every Thing will be ſeen to the Bottom: They whoſe Intereſt it is to ſtudy to throw Obſcurity over the moſt important Particulars, will be managed with ſo much Dexterity, that what they endeavour ſo artfully to conceal, will be drawn from them by Degrees. *Altered and forged Log-Books will be diſcovered, by whom dictated and by whom ſuperviſed, together with the Subornation of Evidence to ſupport theſe Iniquities* [a]. Nothing will eſcape the Penetration of ſuch a Scrutiny; the Juſtice of the Nation will be ſatisfied; Matters will be digeſted with ſo much Clearneſs, that the Publick will be eaſily led to the Truth, with Order, Perſpicuity and Brevity; the known Partiality of Courts-Martial will be baffled; the Prejudices and Paſſions of ſuch who act either from Ambition and Intereſt, or falſe Gratitude and Affection will be triumphed over; the Innocent will be juſtified, the Guilty will be detected, and feel all the Vengeance of a parliamentary Indignation, and their Puniſhment, Cenſure, and Diſgrace, will ſerve as a laſting Monument and ſtanding Record to deter others from the like Offences.

In the mean Time a Sea Officer, an impartial and diſintered Perſon, who ſaw the Conduct of both Fleets from the beginning to the end, and has

[a] Before the Enquiry is at an End this will be found to be too much the Caſe.

has acquired Experience and Judgment enough to diſtinguiſh their Diſpoſition, and to make ſome proper Remarks on the different Motions of both, purely to repreſent Truth, leſt the Publick ſhould be by prejudiced Appearances, or Paſſions, he is tempted to publiſh this Narrative. However unequal he may be to the Taſk, he ſtrictly adheres to the Truth, and neither exaggerates, nor extenuates the many Neglects which were too conſpicuous and notorious to eſcape his Obſervation, or to be conteſted; he only ſpeaks ſuch Truths as cannot be denied, and advances nothing where Evidence and Conviction are wanting. The ample Proof and Confirmation thereof will hereafter appear, when a public Examination is made, until which Time, for the Veracity of what he relates, he appeals to the Conſcience of every Man who was in the Fleet. Let them be interrogated, every judicious Man, who thus takes the Pains to be informed, will be thoroughly convinced of the Certainty and Faithfulneſs of this Relation; the Feeling and Sentiments of all honeſt Hearts confirm and authorize it; and the Publick will find that the Author has had no other Intereſt or Motive than to guard them againſt vulgar Prejudices, mean Diſſimulation, or the Artifice of baſe, deſigning Men.

The Suſpenſion of a Vice-Admiral of the White-Squadron of his Majeſty's Fleet, and ſending him home in the *Saliſbury*, with Merchant Ships under her Convoy, at ſo critical a Conjuncture, when his Experience and Knowledge might be neceſſary, are extraordinary Inſtances of the Power and unbounded Authority of an Admiral abroad; and what makes it more ſurprizing, this Vice-Admiral was thought to be ſo conſummate and experienced a Commander by his Majeſty, that the other Admi-

ral

ral had Leave lately to come Home for the Recovery of his Health, and a Commiſſion was ſent out appointing him Commander in Chief in the *Mediterranean*; therefore the Aſtoniſhment of the Public is continued, that he was not in that Caſe kept abroad at *Mahon*, or where he could not do Harm, until the King ſhould ſignify his Pleaſure [b]. Many Perſons are alarmed, and cannot poſſibly judge or ſurmiſe any Cauſe for this Proceeding; numberleſs and various are the Reaſons given by others; ſome attribute it to Treaſon or Cowardice; others are ſilly enough to affirm it to be for holding a *Correſpondence* with the Enemy, or being in Concert with the diſaffected Perſons, who were to favour the Invaſion in Behalf of the Pretender; nothing leſs flagrant ſay they, conſidering all Circumſtances, can juſtify ſuch a new and unprecedented Stretch of Command in a Brother Admiral, *Who is known not to be governed by the Caprices of a proud and an uneven Temper, bnt has too much Moderation and Contempt of all worldly Grandeur to be agitated by a Guſt of Paſſions or Affections in the Poſſeſſion of an extenſive Command,*

[b] *Admiralty-Office*, 10th *December*, 1743.

SIR,

My Lords Commiſſioners of the Admiralty having thought proper to appoint you Commander in Chief of his Majeſty's Ships in the *Mediterranean*, in the Abſence of Admiral *Matthews*, I am commanded by their Lordſhips to acquaint you, that a Commiſſion appointing you to that Poſt, together with an Order for your obeying his Majeſty's Orders ſignified to you by the Secretaries of State; and Powers to adminiſter the Oaths, and aſſemble Court-Martials, are ſent to Admiral *Matthews*, who will deliver them to you, on his reſigning the Command of the Fleet to you.

I am, Sir, Your's, *&c.*

THO. CORBETT.

P. S. Admiral *Mathews* has alſo a Commiſſion, appointing you Vice-Admiral of the White Squadron, which he is directed to deliver to you.

To Vice-Admiral LESTOCK, *&c.*

mand, or the Rank due to his Merit (in the many Services done his Country) as Rear-Admiral of England, *and Admiral of the White Squadron of his Majeſty's Fleet.* It has been obſerved by the Sea Officers, that had any Part of the Vice-Admiral's Conduct diſpleaſed in the late Fight with the *Spaniards*, the Admiral who commanded was too good an Officer (for Inſtance Sir *Robert Johnſton*'s Diſmiſſion) to have ſuffered him to have continued his Authority after that, and in Sight of the Enemy, when a more general Action was expected every Moment: Likewiſe it has been ſaid, that he did not obey immediately the Signal to give over chaſing the Enemy the ſecond Day after the Battle, when they eſcaped with their lame Ships; for a Frigate of twenty Guns was ſent after him [c]: In ſhort, all that we are able to gather from ſo many different Accounts, is the Certainty that theſe Gentlemen never lived in any Friendſhip or Harmony; whenever they met they were Oppoſites; *(but ſurely it is to be ſuppoſed that the ſuperior Admiral is a wiſe and cool-headed Man, and would not ſuffer any private Piques, old Grudges, and Animoſities to interfere with his Majeſty's Service and the public Good.)* [d] And that after the Fleet

[c] The *Winchelſea* was the Ship; whoſe Captain told the Vice-Admiral, that it was the Admiral's Directions to give over Chace, and to come into the Fleet, and keep near to him.———

[d] The Extracts of the following Letters is a Specimen of Admiral *Mathews*'s genteel Deportment to Mr. *Leſtock*, if not, a Proof of premeditated Malice, and Ill-will.

Neptune, Hieres Road, 9th *November*, 1742.

SIR,

Captain *Lovett* has told me your good Intentions towards him, in removing him into a Fourth-Rate; at the ſame Time, you think of removing Captain *Lingen* from the *Elizabeth* to be my Captain. The *Elizabeth*, I think, is as good a Seventy Gun Ship as any the King has; and as Captain *Lingin* was put into her from the *Cambridge* by his Friend and Relation, Sir *John N*———*s*, I muſt ſuppoſe,

Fleet got into *Mahon* Harbour, there was a Paper War carried on between them; where it is ſaid, that the junior Flag at laſt was led by his Attachment to his King and Country, and in Juſtification to himſelf, to ſpeak in very ſtrong Terms, and with too little Reſpect, conſidering the know Cuſtom and Practice at Sea, which is never to ſpeak Truth in Contradiction

ſuppoſe, if he has not been guilty of ſome extraordinary Crime, it is doing him an Injury; and if he has been guilty of ſuch, I ſhould at leaſt know it before I can give my Opinion (if my Opinion be neceſſary) for or againſt what is propoſed by the Meſſage from you by Captain *Lovett* to, Sir,

Your's, *&c.*

RICH. LESTOCK.

Namur, in *Hieres Road*, 10th *Nov.* 1742.

SIR,

I deſired Captain *Lovett* to acquaint you, that he had been ſtrongly recommended to me by ſeveral People, moſt of whom I was deſirous of obliging, and that I deſigned to give him a Fourth Rate, and to appoint Captain *Lingen* to be Captain of the *Neptune*, judging he would be an agreeable Perſon to you, as you had bred him up, conſequently was well acquainted with him. In Anſwer to which, you are pleaſed to write me a Letter, the Contents of which are paſt my Underſtanding; except you mean, that no Perſon ought to be appointed your Captain, but by Way of Puniſhment for any Crimes he may have committed, and you to be acquainted with them, that you may judge whether or no thoſe Crimes deſerve ſo ſevere a Puniſhment. I am, Sir,

Your's, *&c.*

THO. MATHEWS.

Neptune, *Hieres Road*, 12th *Nov.* 1742.

SIR,

I have the Favour of your Letter of the 10th Inſtant; I am ſorry I ſhould write any Thing to you, not plainly to be underſtood, and therefore I take the Liberty to explain it thus.—If it be Preferment, or a Favour conferred on Captain *Lovett* to remove him from being my Captain, to the Command of a Fifty Gun Ship, it is, without Doubt, a Preferment to the Captain of a Fifty Gun Ship to have the *Elizabeth*, and conſequently, in my Opinion, an Injury to the Perſon put to be Captain of this Ship from the

Contradiction to your ſuperior Officer, even if it ſhould happen to be in Defence of your own unblemiſhed Reputation, and abſolutely neceſſary for the Execution of his Majeſty's Service. It is a Maxim only to ſpeak ſuch Truths as will be agreeable to him, otherwiſe you are never to be forgiven. To conclude,

the *Elizabeth*; for, as I underſtand it, Captain *Lovett* is to be removed, that Chance may put it in his Power to make his Fortune, which by being here it is not, and, by the ſame Parity of Reaſon, he who comes here has it put out of his Power.

Captain *Lingen* I brought up, and he has been always very grateful in his Acknowledgments to me, but he has had a Command upwards of thirty-two Years, and is now between fifty and ſixty Years of Age. I need not trouble you with my Age and Conſtitution; but I am obliged to ſay, for the Support of the Honour of the Flag I bear, that a young and active Man is abſolutely neceſſary for a Captain to me, and indeed to all Admirals. and when I loſe Captain *Lovett*, I hope to have ſuch a one.—I do not point out to you whom you ſhould prefer, but the eldeſt Maſter and Commander is *George Stepney*, who is a young and active Man.—Not that I know any more of him, than on the Services he has been imployed in ſince I have been on this Voyage, but by what I have ſaid, I do not intend to diſpute your Authority, being, Sir,

Your's, *&c.*

R. Lestock.

Namur, in *Villa Franca Harbour*, *Nov.* 16th, 1743.

SIR,

You cannot poſſibly be more deſirous of commanding in chief, than I am of reſigning; it is my real Opinion that one of us two will go home, and that ſoon, but it is not in my Power yet to ſay which of us will go; let that be as it may, I will take Leave to give you a Piece of good Advice: In the firſt Place, treat your Captains with more Decency, and in the Manner Officers ought to be. It ill becomes a commanding Officer to ſend for Sail-makers into his Cabbin, and to aſk him Queſtions, which, by their Nature, are leading to accuſe Captains of indirect Practices, the Conſequences of which you are full well acquainted with. Indeed it is the firſt Time I ever knew that a Flag-Officer gave himſelf the Trouble of ſending for other Ships Sails to repair them in his own Ship; the doing of which (particularly that Ship's Sails) appears to me in a very odd Light, as does the latter Part of your Letter to Captain *Ambroſe*, in Anſwer to an Officer-like, well-bred

conclude, either the one or the other muſt be to blame; the Superior in depriving his Majeſty of the Service at this Time, of ſo able and brave an Officer, or the Inferior in doing ſomething deſerving of this Cenſure; and until the Papers which have paſſed between them are publiſhed, [c] or an Enquiry

Letter; all Kind of Stores belonging to the King are to be made Uſe of for the Good of his Service. I am no Storekeeper, but when any Demands are brought me, I ſupply them, if any ſuch be in any of the Ships under my Command: I do not remember that I ever made that Reply to any Commander, nor indeed do I believe it was ever done before by any Flag. It is the Captain's Duty to make known his Wants to his commanding Officer, and I take Leave to ſay it is his Duty to ſupply thoſe Wants, if judged to be ſuch by him, and they are to be had either a-float, or on Shore. Such Replies are peeviſh and waſpiſh, and unbecoming the Dignity of a commanding Officer.

I am Your's, *&c.*

THO. MATHEWS.

Neptune, Hieres Road, Nov. 18th, 1743.

SIR,

I do not underſtand your ſaying that I cannot poſſibly be more deſirous of commanding in chief than you are of reſigning, and it is your real Opinion, that one of us two will go home, and that ſoon, *&c.*

I am always glad to be adviſed, but will not take up your Time in anſwering the long Paragraph in your Letter relating to the *Rupert*, any more than that her Rudder was on her Deck, ſhe was Caulking, and the Captain ſent to me deſiring to heel, when his Rudder was hung, and the Caulking compleat; in Regard to thoſe Circumſtances, and to thoſe only, I ſent for the Sails to this Ship: And as to my Anſwer to the Captain's Letter, I had told him, I would, on writing to me, ſupply every Specie of Store deſired, and to be had, but as Demands were Scraps of Paper, I would not have them made to me, only ſuch as were to be ſent to *Mahon* to the Commiſſioner: This had been told to other Captains as well as to him, before the Letter he takes Notice of. I am, Sir,

Your's, *&c.*

RICH. LESTOCK.

[c] The Papers have been publiſhed with Remarks on, and Anſwers to this Pamphlet. But whatever Satisfaction theſe original Papers might give the Public, to ſhow where the Fault lay, the Remarks

Enquiry can be made, we muſt ſuſpend our Judgment. But if we were to judge from the ſuſpended Gentleman's Conduct, we may ſoon hope to ſee him extinguiſh all Scandal, like the Sun who no ſooner appears than he puts an End to the Stinks which a Fog has raiſed: However, it will be doing Juſtice to the Public and to this Gentleman, before we go any farther to take a View of his Character.

We find when the late Lord *Torrington*, who was a great Sea-Officer, introduced him to the King, he was pleaſed to ſay, That he took the Liberty to recommend to his Majeſty's Favour one of the moſt able, and the beſt Quarter-deck Officers that ever had been bred at Sea. This has been always the Judgment of every Sea Officer, even Mr. *Leſtock*'s Enemies cannot help acknowledging his great Capacity and Underſtanding: That he is indefatigable in his Duty, knowing, well qualified, and ſo perfectly acquainted with every Branch of the Navy; that the Difficulties of the greateſt Command cannot exceed the Bounds and Extent of his Genius. It appears, that he has been conſtantly employed in his Majeſty's Service from his Infancy; never any Length of Time on the Half Pay: Conſequently with no more than equal Talents, he muſt excel thoſe in Knowledge and Experience, who have lived aſhore any Number of Years, and are but newly returned to retrieve what they have loſt, by a long Abſence from their Trade.

Theſe Talents, both natural and acquired, endeared him to Admiral *Vernon*; and he no ſooner

Remarks and Anſwers were ſo trifling, weak, and inſignificant, that they were not thought deſerving of a Reply; as they ſeemed rather to illuſtrate the many glaring Truths, and ſtrong Arguments of this Book, than to controvert, and prove the Falſhood and Malignity of them.

joined him at *Jamaica*, than that brave Officer, in Juſtice to his Merit, gave him a Commiſſion to wear a diſtinguiſhing Pendant, and appointed a Captain to the *Boyne* under him.

When the Fleet returned from *Carthagena* to *Port Royal*, he was diſpatched home with the three Deck-Ships, where he arrived at the Time that the *French* and *Spaniſh* Squadrons were triumphantly carrying on the Settlement of Don *Philip* in *Italy*: He, therefore, as the propereſt Perſon, was ſent with a Reinforcement to the Aid and Aſſiſtance of Admiral *Haddock*; but when he got to *Mahon*, he found that Gentleman from an Indiſpoſition, altogether incapable of commanding, with the greateſt Part of the Fleet very ſickly and unfit for Sea[f]; while the *Spaniards* continued to ſend, and carry on their Embarkations to *Italy* with all imaginable Succeſs.

No Time was loſt by this active Officer; and by great Diligence and conſtant Attendance, the Fleet was equipped and many of the Ships careened. The Seamen were recovered from the Hoſpital, and by reducing

[f] *Extract of a Letter from Admiral* Haddock, *to Mr.* Leſtock, Mahon, 6*th* March, 1741.

SIR,

Incloſed goes the Copy of an Order I have thought fit to deliver to the Captains of his Majeſty's Ships, for their obſerving ſuch Directions as you ſhall give them, during my Indiſpoſition, for the more ſpeedy Equipping, and getting their Ships reſpectively in a Readineſs for the Sea, *&c.*

N———s H———K.

By Nicholas Haddock, *Eſq*; *Rear-Admiral of the Red Squadron*, &c. *and Commander in Chief*, &c.

Whereas it is abſolutely neceſſary, from the Indiſpoſition I am at preſent ſubject to, that the Equipment of the Squadron in all Reſpects ſhould be carried on by the Direction of Commodore *Leſtock*, the ſecond Officer in Command, you are therefore hereby required, and directed, to cauſe the Ship you command be kept in a conſtant Readineſs for the Sea, and to obſerve Mr. *Leſtock*'s Orders,

reducing every Ship's Complement in Proportion, with the additional Help of five hundred Soldiers from the Iſland, they were all in a Condition to ſail in much leſs Time than could have been expected: But it ſeems, as the Admiral's Health could not permit him to go to Sea, it was judged by a Council of War, only neceſſary to ſend out five or ſix Sail under the Command of a Captain [g]. Theſe Ships were juſt upon ſailing, when the *Folkſton* from *Marſeilles* brought certain Intelligence of the Diſpoſition of the Enemy; upon which Mr. *Leſtock* made a proper Repreſentation to the Admiral, with his Opinion of the Conſequences of ſending ſo ſmall a Force, which prevailed ſo far, as to cauſe a Council of War to be called, where it was unanimouſly agreed, that it was requiſite

ders, for the preſent, in every Thing that ſhall be moſt conducive to the Equipment of the Squadron, and in Conſequence the Service of his Majeſty. Dated at ——— 6th *March*, 1741.

N———s H———k.

To the Captains and Commanders of his Majeſty's Ships and Veſſels in Port.

[g] *Extract of Mr.* Haddock's *Order to Mr.* Leſtock, *for holding a Council of War*; *dated* Mahon, *the* 20*th* March, 1741.

That ſince I had taken a Reſolution of proceeding with the Squadron to Sea, ſuch Intelligence of the Situation of the combined Squadrons is come to Hand; and as from my Indiſpoſition I am ſtill ſubject to, obliges me to recommend it to you, as the Second Officer in Command, to call a Council of War on this important Affair, in which to conſult what was moſt practicable to be done for the Service of his Majeſty; and having incloſed Extracts of what has come to my Knowledge relating to the ſaid Intelligence, with an Extract of his Majeſty's late Commands, from his Majeſty's principal Secretary of State, I recommend it to the Council of War, to conſult the propereſt Meaſures to be taken, at this Conjuncture of Affairs, and whether the whole Squadron do proceed, or to imploy the cleaneſt, and beſt ſailing Ships on the propereſt Stations, there to cruize, and obtain Intelligence of the Enemy, and prevent any Embarkation being carried on.

N——s H———k.

And

requiſite for the whole Fleet immediately put to Sea h.

And a Council of War was held on board his Majeſty's Ship *Neptune*, the 21ſt *March*, 1741, in Conſequence of the foregoing Letter to Mr. *Leſtock*.

Preſident, RICHARD LESTOCK, Eſq;

Captains,	Terwick Cayley.	James Cornwall.
	William Martin.	John Toller.
	Hon. Fitz-Roy H. Lee.	Thomas Smith.
	Curtis Barnett.	John Towry.
	John Ambroſe.	George Sclater.
	Hon. John Forbes.	Nicholas Robinſon.
	Temple Weſt.	Charles Watſon.
	Solomon Gideon.	James Lloyd.
	Richard Hughs.	Eſſex Holcombe.
	Nathaniel Watſon.	William Dilke.
	William Rowley.	John Lovett.

Upon maturely conſidering the Directions of *Nicholas Haddock*, Eſq; Rear-Admiral of the Red, and Commander in Chief of his Majeſty's Ships in and about the *Mediterranean*, bearing Date the 20th Inſtant, deſiring our Opinions upon the preſent Conjuncture of Affairs, if it be neceſſary to proceed with the whole Squadron to Sea, or to imploy properly, on different Stations, the cleaneſt, and beſt ſailing Cruiziers, *&c.* and having for that Purpoſe laid before us his lateſt Intelligence, with an Abſtract of Part of a Letter from his Grace the Duke of *Newcaſtle*, his Majeſty's principal Secretary of State, ſignifying his Majeſty's Pleaſure to the ſaid Admiral; and upon the ſeveral Intelligences, and the ſaid Abſtract of his Grace's Letter, a Majority of the Council are of Opinion, that the ſending out a proper Number of Cruizers, will be more for his Majeſty's Service, than the whole Squadron at preſent putting to Sea.

h *Abſtract of Mr.* Leſtock's *Repreſentation, dated* 26 March, 1742, *to Admiral* Haddock.

That on the 25th —— 1742, Captain *George Balchen* of the *Falkſtone* arrived here in two Days from *Marſeilles*; that he had Intelligence, that the Infant *Don Philip* was at *Aiſe*, and daily expected at *Marſeilles*, from thence to go to *Toulon*, and from that Port to *Antibes*, and there to embark for *Italy* on Galleys; — that the *French* Squadron are in no Conditlon for the Sea; — that the *Spaniſh* Squadron are in the Harbour of *Toulon*, within *Fort Louis*, and are going into the Baſon two at a Time, all the reſt lay rigged (having been ſupplied with Maſts by the *French*.) In the ſaid Harbour there are ſaid to be fifteen in Number.——By this Intelligence, the *Spaniſh* are always twelve in Number, in Readineſs to puſh out, and the *French* are ready with their Galleys to forward

1742—— Accordingly, the Fleet ſailed in the Beginning of *April* 1742, under the Direction of Mr.

forward the Embarkations. It was therefore Mr. *Leſtock*'s Opinion, that with ſo noble a Squadron as we could command, we ſhould put out to Sea, and not depend only on ſix Ships, eſpecially as the whole Squadron wanted nothing that the Iſland could ſupply; that it was needleſs for the Admiral and him to lay longer in that Harbour; that he was for putting to Sea with at leaſt ſix Ships more than ordered, which would be a ſufficient Force to block up the *Spaniſh* Squadron, or be a Match for them if they came out, as well as deter the Galleys from attempting to carry on the Embarkation, or tranſporting ſome Horſe, which were ready for that Expedition. He names himſelf for the commanding theſe Ships, as being in a Rank above a private Captain, and as the Admiral will thereby, on any Accident, be leſs accountable, than by what may happen to the Captain he may appoint on this Occaſion. He concludes, offering his Opinion purely for the Sake of his Majeſty's Service, and the Eaſe and Satisfaction of the Admiral.

R——D L——K.

Upon Receipt of the above Repreſentation, another Council of War was held on board his Majeſty's Ship *Neptune*, *Mahon* Harbour, 29. *March*, 1742.

Preſident *Richard Leſtock*, Eſq; and preſent the Captains of his Majeſty's Ships, who have hereunto ſigned their Names.

In Conſequence of the Repreſentation made by *Richard Leſtock*, Eſq; bearing Date the 26th Inſtant, and a Copy whereof is hereunto annexed, together with the Order of *Nicholas Haddack*, Eſq; Rear-Admiral of the Red, and Commander in Chief of his Majeſty's Ships and Veſſels, employed, and to be employed, in and about the *Mediterranean*. for holding the ſaid of Council War, in Purſuance of the Repreſentation above-mentioned, and the ſeveral Points to be deliberated, upon being contain'd in the Admiral's Order here mentioned, a Copy of which is hereunto annexed.

The firſt Queſtion put by the Preſident to the Council of War, If the preſent Number of Cruizers already appointed, and conſiſting of ſix Sail of the Line, be ſufficient or not for the Execution at preſent of his Majeſty's Service, by the Repreſentation made to the Admiral by Mr. *Leſtock?* On which Queſtion the Council of War were unanimouſly of Opinion that they were not.

The next Queſtion enſuing thereupon was, What Number of Ships are farther neceſſary to be imployed in the preſent Exigency, and what Rate the Ships ſhould be, (that ſhall be appointed) as near as may be?

The Opinion of the whole Council of War was unanimous, that the whole Squadron ſhould go to Sea as ſoon as poſſible, and likewiſe the Fireſhips.

Pur-

Mr. *Leſtock* i, who ſoon after was authoriſed by his Majeſty to take the Command upon him k. The Moment we appeared off *Toulon*, where the *French* and *Spaniſh* Squadrons had been ſome Time after their Return from *Italy*; a general Alarm enſued, the Batteries were repaired with great Diligence, double

Purſuant then to this ſecond Reſolution, it being moved, that in Conſideration of the Time which it may unavoidably require to embark the 500 Soldiers, ordered by the commanding Officer of the Iſland of *Minorca* for the Service of his Majeſty's Ships, ſome of the cleaneſt ſmall Ships, or Frigates, ſhould immediately be ſent out, as well for Intelligence, as to intercept any ſmall Embarkation that may be going to *Italy*, which likewiſe was unanimouſly agreed to. Sign'd,

RICHARD LESTOCK, Preſident.

Thomas Cayley.	William Rowley.	William Martin.
George Sclater.	Nicholas Robinſon.	Charles Watſon.
Solomon Gideon.	William Dilke.	James Cornewal.
Henry Lee.	John Toller.	Ph. Vincent.
John Compton.	J. Ruſſell.	T. Weſt.
George Balchen.	J. Lovett.	Thomas Smith.
C. Barnett.	J. Towrey.	J. Ambroſe.
Edm. Williams.	J. Forbes.	J. Lloyd.
Eſſex Holcombe.		

i The Fleet was exerciſed in a Line of Battle, between *Mahon* and *Toulon*, according to the fourth Article of the Admiral's Inſtructions, eſtabliſhed by his Majeſty in Council.

IV.

To exerciſe the Squadron frequently. When he is at Sea, he is frequently to exerciſe the Ships under his Command, and draw them into Lines of Battle, when the Weather is fair, and the ſame can be done without Interruption to the Voyage.

k *Extract of a Letter from the D—— of* N———e, *to Mr.* Leſtock, *dated* 3*d* April, 1742.

SIR,

By Letter from Mr. *Haddock*, dated *February* 1. his M——y had the Satisfaction to find, that you was ſafely arrived at *Port Mahon*, with the Ships under your Command. Mr. *Haddock*, in the ſame Letter repreſents, that, on Account of his ill State of Health, he was obliged to deſire, that his M——y would be pleaſed to appoint ſome Perſon to the Command of the Squadron, or to permit him to reſign that Command to the Senior Officer under him;

double manned, more Guns mounted, new Fortifications raiſed, Booms got acroſs the Harbour's Mouth, and all the military and neceſſary Preparations made, as if they immediately expected a ſudden Attack at that Port.

Their Situation, Strength and Forwardneſs being perfectly viewed and conſidered; then by an excellent, well judged Diſpoſition of the Squadron, all along the Coaſt of *Catalonia*, *Provence* and *Italy*, there was the finiſhing Stroke put to the *Spaniſh* Progreſs. Some Veſſels were taken and deſtroyed, one of which was burnt in Sight of *Toulon* and the united Fleets; and the Embarkations then on Foot were entirely fruſtrated, diſcontinued, and all the Troops diſembarked; the Infant of *Spain*, who was to have gone by Sea to his new Kingdom, being then at *Antibes* with the Royal Galleys of *Spain*, found it now impracticable, and did not attempt it, or indeed any Embarkation. The *French* continued to be under great Apprehenſions, eſpecially in Regard to their extenſive Trade, which was not the leaſt of their Fears; and they were taught that their Policy, which they had ſo long practiſed in amuſing and captivating other Nations with Wiles and Artifice, could not avail.

him; and we have ſince had an Account, that he had actually quitted it to you. In that Caſe, the K—g doubts not but Mr. *Haddock* will have put into your Hands the ſeveral Inſtructions and Orders that have been ſent him for his Conduct; and particularly thoſe of *November* 11th and 26th, which you carried from *England*, and which more immediately relate to the preſent Circumſtances; as alſo my ſubſequent Letters of *December* 3. and *January* 5. and 21. But, if Mr. *Haddock* ſhould have ſtill kept the Command, it is his Majeſty's Pleaſure, that upon the Receipt of this Letter, you ſhould take it upon you.

I muſt not conclude, without congratulating you upon his Majeſty's having been pleaſed to promote you to the Rank of Rear-Admiral, and moſt heartily wiſh you good Succeſs in all your Undertakings for the Honour and Service of the King, and your Country. I am with great Truth and Regard, Sir,

Your's, &c.

H——s. N——le.

The *Spaniſh* Army that had been already tranſported into *Italy*, on board and under the Convoy of the combined Fleets of *France* and *Spain*, with ſeveral other Embarkations which ſoon afterwards followed, dwindled and moulder'd away: They were not only very ſickly, but they deſerted by Thouſands, particularly to the *Venetians*, who gave them great Encouragement, and this entirely owing to the Care that was taken to prevent any Supply, Succour, or Reinforcement reaching them; whereby this Army, ſo much the darling Wiſhes and Hopes of the Queen of *Spain*, was deprived of all poſſible Means of putting her Deſigns in Execution, and forced to lie in a State of Inaction in daily Expectation of more Force, the real Source of its Miſcarriage, until at laſt, inſtead of conquering States and Dominions, it was reduced to ſo ſmall a Remnant, that it was neceſſitated to act on the defenſive, and fly from Corner to Corner ſeeking a Refuge, and leaving behind it many Inſtances of Diſtreſs, with more and more Deſerters; the common Conſequences of a fugitive Army, without a Supply or Recruit [1].

This

1 *Extract of a Letter from Mr.* Man, *his Majeſty's Miniſter at* Florence, *to Mr.* Leſtock.

Florence, June 12. 1742. N. S.

The *Spaniſh* and *Neapolitan* Armies are drawn a little nearer the *Panaro*, which ſeparates them from thoſe of the Queen of *Hungary* and King of *Sardinia*; the Deſertion in the former continues ſtill to be very great: You will not, perhaps, be diſpleaſed to ſee the incloſed Liſt, which has been given me by this Government, and which I am aſſured is very juſt.

Liſt of Spaniſh *Deſerters who have paſſed by* Florence, *from the Month of* December, 1741.

December	585
January	547
February	644
March	782
April	789
May	1970
June, to the 5th,	77
	5394

Brought

This Diſpoſition of his Majeſty's Ships had its deſired Effect; it occaſioned the greateſt Conſternation to both our public and private Enemies; at the ſame Time that it gave Satisfaction and Confidence to all the King's Allies: They ſaw a powerful Squadron employed in the moſt aſſiduous Manner, annoying the common Enemy, and aſſiſting and ſupporting them, under an active Leader, who had nothing more at Heart than the vigilant Execution of his Maſter's Commands, and the Service of his Country [m]. Our Merchants at *Leghorn*, who were before

Brought over ——	5394
Deſerted when the Troops were at the Gulph of *Spezzia*.	2150
At *Terra del Sole* —— ——	1970
	9514 N°.

[m] *Extract of a Letter from Mr.* Villettes, *his Majeſty's Miniſter at the Court of* Turin, to *Mr.* Leſtock, *dated from the Camp at* Colegaru, *on the Borders of the* Panaro, June 6. N. S. 1742.

SIR,

I arrived here the 29th paſt, and was honoured, three Days after, with your Letter of the 18th *May*, *O. S.* by which you are pleaſed to acquaint me with your being come into the Port of *Villa Franca*, with the large Ships of your Fleet; and with the reſt being ſtationed off *Antibes*, and the adjacent Coaſts, to keep the *French* and *Spaniards* where they are; I fancy it will be an eaſy Matter, having every Day more Reaſon to believe, they do not care to venture out: It is however good to be vigilant, as it is of the greateſt Conſequence, and the Fate of *Italy*, in a great Manner, depends on your preventing the Paſſage of any more *Spaniſh* Troops by Sea.

I aſſured the King of *Sardinia*, nothing would be wanting on your Part for that Purpoſe, and that by your laſt Letters, you had again deſired me to avouch for your Readineſs to act on all Occaſions for the Good of the Common Cauſe, with any Part, or all the Squadron, and to concert the Operations he may think neceſſary with any one he might appoint: That Prince expreſſed his Acceptance of theſe Offers in the moſt gracious Manner, and charged me to thank you for them with his Compliments; adding, that he had again repeated his Orders, where it might be neceſſary for ſupplying you, and the Fleet under your Command, with every Thing you might want which his Country afforded.—I likewiſe made your Compliments to Marquis *d' Ormeia*, by whom I

before in a very deplorable, deſpairing Way, were protected, and the Appearance of ſuch a Fleet, diſpoſed of in this Manner, deterred the *Spaniards* from making any Attempt upon that Town, and was the Means of preſerving a perfect Tranquility there

was charged to aſſure you of his Readineſs to comply with any Thing he could imagine that would be agreeable to you. As we are encamped near the Queen of *Hungary*'s Army, the Generals of which I have frequent Opportunities of ſeeing, particularly the Marſhal *Trawn*, who commands it. I have likewiſe communicated your laſt Letter to him; he ſeemed extremely pleaſed with the Aſſurance you give of oppoſing the Paſſage of any more of the *Spaniſh* Troops, either from *Spain*, or the Coaſt of *Provence*, and even of intercepting and cutting off all Communication between them and the Army already landed in *Italy*, under the Command of Monſieur *Montimar*; and he ſaid, that by this Means, and the Oppoſition the King of *Sardinia*'s ſmall Body of Troops would make towards the Mountains, Don *Philip*'s Progreſs muſt be effectually clogged, and that when once that was the Caſe, it would be an eaſy Matter for the King of *Sardinia* and him to deal with Monſieur *d'Montemar*, and to defeat that Army, even without expoſing their own to any conſiderable Loſs.

He hinted to me, that Monſieur *Braitwith*, their Commandant at *Leghorn*, had acquainted him, by his laſt Letters, that you had detached two or three Frigates to the *Adriatic* Sea, in order to ſeize, or deſtroy, ſome *Neapolitan* Barks, that were got into the Mouth of the *Po*, at *Porto de Goro*, and gave no ſmall Uneaſineſs to the neighbouring Coaſt, belonging to the *Auſtrian* Dominions; he exaggerated the Advantage of ſuch a Detachment, and ſaid, that if it was not already ſent, it was to be wiſh'd you could think of it. I made no Anſwer, but that I would acquaint you with what he obſerved on that Head, and that I could aſſure him you would readily come into it if the Thing was feaſible, and no Way contradictory to the Orders you may have received from his Majeſty, not to divide your Force, but to keep it as much as poſſible united together in the *Mediterranean*.

The King of *Sardinia*'s Secretary at War informed me laſt Night, with many Expreſſions of Gratitude and Thanks, that he had received Letters from *Nice* and *Villa Franca*, by which the Commandant there informs him, with your having not only offered, but actually furniſhed him with ſeveral Pieces of ſmall Cannon, of which he hopes to make good Uſe, for defending the Paſſes of the Mountains; and he added, that he would be glad to have it in his Power to make ſome Return for your Civilities, and hearty, and friendly Aſſiſtance. I am with great Truth and Reſpect, Sir,

Your's, &c.

A——R. V——S.

there n. It was not long before the King of *Sardinia* expreſſed his Satisfaction in a particular Manner, and not

n *Extract of a Letter from Mr.* Goldſworthy *his Majeſty's Conſul at* Leghorn, *to Mr.* Leſtock.

Dated the 18*th* May, 1742, N. S.

The Appearance of the Fleet abroad at ſuch a critical Juncture, has intirely diſſipated the Apprehenſions of the Commerce, which now eſteems itſelf ſafe from the Inſults of the *Spaniards*; except their ill Succeſs ſhould oblige them to an involuntary Retreat into *Tuſcany*, in which Caſe the Recourſe to the Fleet for Protection, will be much eaſier, and the Intelligence of any Motions this way may always be timely conveyed, while it continues as at preſent, on ſo proper a Station, to anſwer every good End for the Service of his Majeſty, and the Security of *Italy* from farther Invaſion.

Extract of a Letter from Mr. Man, *his Majeſty's Miniſter at* Florence, *to Mr.* Leſtock.

Florence, June 12*th*, 1742, N. S.

SIR,

I have received the Letter you have been pleaſed to favour me with, of the 22d of *May*, *O. S.* in Anſwer to the two I had the Honour to write to you by Captain *Godſalve*, dated the 15th and 16th of *May*, N. S. and beg leave to return my Thanks for the Notice you have communicated me of the extreme prudent Diſpoſition you have made of the Ships under your Command, which has occaſioned the greateſt Alarm and Conſternation to both our public and private Enemies, at the ſame Time that it gives the greateſt Satisfaction and Confidence to all his Majeſty's Allies.

The particular Manner in which you enter into the Views of his Majeſty, by a moſt punctual and vigilant Execution of the King's Commands, with regard to the Commerce of *Leghorn*, and the Protection of his Subjects there, muſt be very agreeable to them at this critical Conjuncture, and I flatter myſelf they think themſelves perfectly ſecure, and that the Care, Knowledge of the Support, which would be given to the Town of *Leghorn*, in Caſe of need, by his Majeſty's Fleet, will at all Events deter the *Spaniards* from making any Attempt upon it, and be a Means of preſerving a perfect Tranquility there; but as this may intirely depend upon the Motions of the Armies in the *Romagna*, and the Views of *Monſieur de Montimar*, either in Caſe he ſhould abandon his Deſigns upon *Lombardy*, from an Impoſſibility to execute them, or in Caſe of a Defeat, of which Caſes it is impoſſible at preſent to make any certain Judgment, or foreſee the Iſſue, ſo nothing can be more commendable than the Vigilance you ſhew in ſo critical a Juncture, which will ſufficiently convince the Factory, that, let what will happen, Care will be taken of their Perſons and Effects.

Ex-

not only ſent his royal Thanks to Mr *Leſtock*, for his great Zeal, and theſe his Services in the Common Cauſe, but cauſed them to be repreſented at *London* °: And

Extract of a Letter from Mr. Goldſworthy, *his Majeſty's Conſul at* Leghorn, *to Mr.* Leſtock.

June 15*th*, 1742, N. S.

I find nothing to add to the News of public Affairs, which you receive herewith from Mr. *Man*; ſo am only to acknowledge the Favour of your laſt of the 22d of *May*, O. S. and to wiſh you all the Succeſs in the mortifying the *Spaniards*, and their Abettors, which the Diſpoſitions you have made for that Purpoſe, ſeem to aſſure us of, as well as of our own Security and Tranquility here.

° *Extract of a Letter from Mr.* Villettes, *his Majeſty's Miniſter at the Court of* Turin, *to Mr.* Leſtock, *dated from the Camp at* Colegaru *the* 20*th of* June, 1742, N. S.

SIR,

It was the 16th Inſtant, *N. S.* before I was honoured with your Letter of the 22d of *May*, O. S. and I cannot gueſs by what Means, or how it has been detained ſo long on the Road; by good Fortune, the Contents of it had not ſo particular a Relation to his Majeſty's Service, as to require an immediate Anſwer, and my only Concern is, that my Thanks for it will have been delayed ſo much longer than they ought, and would naturally have been without this Incident.———The Aſſiſtance you have given Monſieur *de Corbean* the Commandant of the County of *Nice*, and your lending him ſuch a Number of ſmall Cannon, as he might want for defending the Paſſes of thoſe Mountains, together with the Offer of ſuch other Means of Defence, as you had in your Power, is, in my humble Opinion, intirely agreeable to the King's Inſtructions and Intentions, and therefore can but be approved by his Majeſty and his Miniſters, as I dare ſay you will before now have had the Satisfaction to find it commended by Mr. *Mathews*.———I have already received the Thanks of this Court, for the hearty Concurrence and Zeal you have ſhewn on this and other Occaſions, in every thing that relates to the King of *Sardinia*'s Service, and the Good of the Common Cauſe, and I have likewiſe been charged to tranſmit the ſame to you. Monſieur *de Corbean* ſeems intirely perſuaded, that, by the Meaſures he has taken by Land, and the Order you have given to your Cruizers on the Coaſt of *Provence*, it is impoſſible for the *Spaniards* to force a Paſſage through the County of *Nice*, and that if they undertake it, the Conſequences muſt be the Ruin of their Army.

And to compleat this Pleaſure he received a Letter from his Majeſty's principal Secretary of State, congratulating him upon the Opportunity which he had to ſhew his great Zeal and Abilities for his Majeſty's Service, and acquainting him with his Majeſty's entire Approbation of his Conduct in the welljudged Diſpoſition he made of the Squadron for annoying the Enemy, and aſſiſting and ſupporting the King's Allies [p].

Such was the low, deſpicable State of the Enemy, and the flouriſhing Condition of the *Britiſh* Fleet, and the King's Allies, when Vice-Admiral *Mathews* arrived from *England* at *Villa Franca* the 27th of *May*, and took upon him the Command of the Fleet.

This

I have ſo fully acquainted Mr. *Mathews* with our Situation here, and the lateſt Intelligence we have had of the Enemy, that, as I dare ſay my Letter will be communicated to you, it would be needleſs to trouble you with a Repetition of the ſame, and therefore I ſhall only add the Aſſurances of the infinite Eſteem with which I have the Honour to remain,

Sir, Yours, &c. A——R V——TTES.

[p] *Extract of a Letter from the* D—— *of* N——le *to Mr.* Leſtock, *dated* Whitehall, *the 1ſt of* July, 1742.

SIR,

I ſhould ſooner have returned you my Thanks for the Favour of your Letters of the 28th of *April* and 1ſt of *May*, in which you gave me an Account of your having taken upon you the Command of his Majeſty's Squadron, and your Proceedings in Conſequence of it, if I could have found any ſafe Opportunity of conveying a Letter to you. I have now the Satisfaction to acquaint you with his Majeſty's entire Approbation of your Conduct, in the well judged Diſpoſition you made of the Squadron, for annoying his Majeſty's Enemies, and aſſiſting and ſupporting the King's Allies, in which the King of *Sardinia* has expreſſed a particular Satisfaction.

His Majeſty extremely approved your ſending ſome Ships to cruize in the *Adriatick* Sea, in order to intercept any Veſſels that might be employed in bringing Stores or Proviſions for the *Spaniſh* and *Neapolitan* Armies.

I heartily congratulate you upon this Opportunity, which you have had, to ſhew your Zeal, and Abilities for his Majeſty's Service, which you have employed in ſuch a Manner, as has his Majeſty's moſt gracious Approbation. I moſt ſincerely wiſh you a Continuance of your Health, and ſhall be glad of all Occaſions to convince you of the real Truth and Regard with which I am, Sir, Yours, &c. H——s N——E.

This able Gentleman, when the *East India* Company, in the Year 1721, applied for a ſmall Squadron of his Majeſty's Ships in order to deſtroy ſome Pirates who infeſted their Trade in the *Eaſt Indies*, was diſpatched on that Expedition, and returned in 1724, *after having executed the Errand he was ſent on to ſo good a Purpoſe, that the* East India *Directors never afterwards applied for his Majeſty's Ships to go to thoſe Seas to protect their Trade.* He had the Reſignation to live eighteen Years a-ſhore, and ſee many junior Captains made Admirals; but now ſuch was the Exigency of the State, *and his great Experience*, that he was prevailed upon to go to Sea; and he was appointed Vice-Admiral of the Red Squadron of his Majeſty's Fleet, and Commander in Chief in the *Mediterranean*.

Mr. *Leſtock*, at the ſame Time, was appointed Rear-Admiral of the White Squadron of his Majeſty's Fleet, and on the firſt of *June* was ſent by Mr. *Mathews* with the Body of the Fleet to obſerve the Motions of the Enemy [q], as well as to intercept any Embarkation, which they might be poſſibly carrying on again; but they had given over all Thoughts of any ſuch Undertaking; and, on the contrary, were preparing to force their Paſſage into *Italy* by Land. While

q *Mr.* Mathews's *Order to Mr.* Leſtock, *dated at* Villa Franca *Harbour the* 30*th of* May, 1742.

You are hereby directed and required, to take the firſt Opportunity of Wind and Weather, and proceed to Sea, taking under your Command the following Ships, *viz. Neptune, Barfleur, Marlborough, Ruſſel, Somerſet, Princeſs Caroline, Lancaſter, Bedford, Naſſau, Ipſwich, Elizabeth, Plymouth, Eſſex, Rupert* and *Panther*, whoſe Captains are hereby directed to obey you, and cruize between *Marſeilles*, and the eaſtermoſt Part of the Iſles of *Hieres*, giving ſtrict Orders to all the Captains to ſearch with the utmoſt Care the Ships and Veſſels of all Nations they ſhall come up with, to enable them the better to put my Orders on that Head in Execution, endeavouring by all ways you can think of, to come at the Knowledge of the true Situation and Condition of the *French* and *Spaniſh* Fleets, ſending once in ten Days to *Marſeilles* for Letters, and tranſmitting me by all Opportunities an Account of your Proceedings, making *Villa Franca* the Place of Rendezvous, in Caſe of Separation by bad Weather.

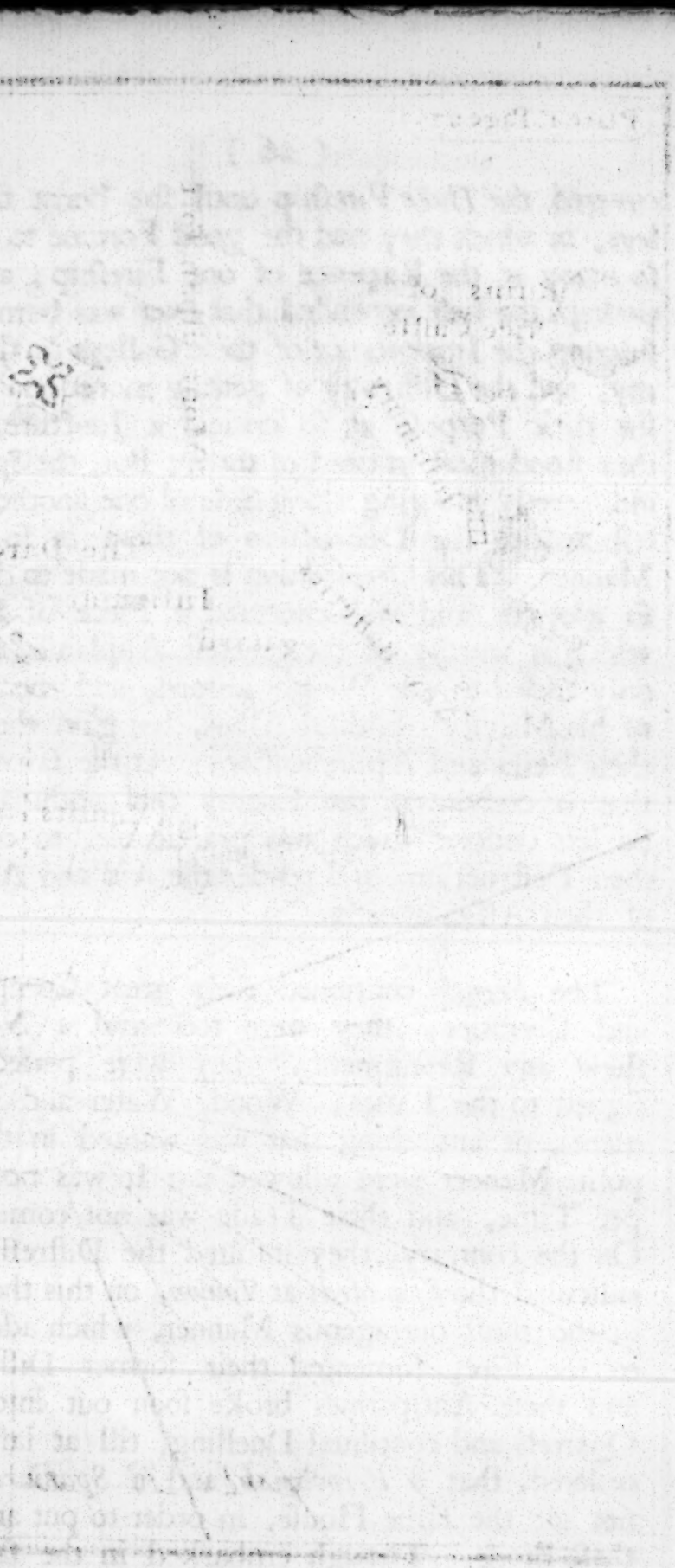
While the Vice-Admiral remain'd at *Villa-Franca* on board the *Namure*, the Rear-Admiral kept the Sea; and, at this time, took the Opportunity of viewing *Hieres Road*; and having anchored there one Night, he found it to be a ſpacious, commodious, fine Bay, ſheltered every Way from the Wind and Sea, capable of containing the Royal Navy of *Britain*, and one of the moſt fertile Spots in *Europe*, having Plenty of Wood, Water, and every Refreſhment; *ſo good and ſafe* a Situation, as being at an Anchor at *Hieres*, not above nine Miles from the Enemy, where every thing which went in and out of the Harbour of *Toulon* might be very eaſily diſtinguiſhed; and this Bay of ſo great an Extent, that it was not in the Power of the *French* Monarchy to fortify it in ſuch a Manner as to hinder our Fleet at all Times and Seaſons from having Recourſe to ſo good a Sanctuary, was a painful Mortification to our Enemies.

About the middle of *June*, the five *Spaniſh* Galleys, which had been prevented on our firſt Appearance on the Coaſt from carrying *Don Philip* from *Antibes* with another Embarkation into *Italy*, now venturing to creep all along Shore in their Retreat back, were imprudent enough to put into St. *Tropez* (a *French* Port a little to the Eaſtward of *Hieres*, incapable and unwilling to make any great Defence) imagining that being moor'd by the Walls of one of his moſt Chriſtian Majeſty's Sea-port Towns, defenceleſs as it was, with the Terror of his omnipotent Name, would be a ſufficient Protection: But ſuch neutral Maxims did not now ſubſiſt; ſuch wiſe Policy was baniſhed; there are Viciſſitudes in the Body-Politic, as in the Natural; and Capt. *Norris* of the *Kingſton*, with the *Oxford* and *Spence Sloop*, did not let this Opportunity eſcape; but with theſe Ships went into this Port and

covered the *Duke* Fireſhip until ſhe burnt the Galleys, in which they had the good Fortune to deſtroy ſo many at the Expence of one Fireſhip; a Veſſel perhaps the beſt expended that ever was burnt, conſidering the Importance of theſe Galleys tó the Enemy, and the Difficulty of getting more ſoon enough for their Purpoſe at ſo critical a Juncture, when they ſtood moſt in need of them: But, the *Spaniards* indiſcreetly mooring along Side of one another, contributed to the Deſtruction of them in ſo eaſy a Manner. This Obſervation is not made to diminiſh ſo glorious and well-executed a Piece of Service, which is worthy of the greateſt Applauſe, and not only added to our Weight abroad, and the Support of his Majeſty's faithful Allies, but gave the *French* their Fears and Apprehenſions: At the ſame Time, that it convinced the Enemy that nothing would be left undone which was practicable, to compleat their Deſtruction, and render the Aid and Aſſiſtance of their Allies abortive.

The *French* continued their great Complaiſance and Civilities; they were too civil a Nation to ſhew any Reſentment; they were perfectly reſigned to the Times; Wood, Water and Refreſhments, or any thing that was wanted in the moſt polite Manner were allowed us: It was not a proper Time, and their Trade was not come home: On the contrary, they inſulted the Diſtreſſed, and ridiculed the *Spaniards* at *Toulon*, on this their Loſs, in the moſt outrageous Manner, which added Fuel to the Fire, fomented their former Differences; and theſe Antipathies broke ſoon out into endleſs Quarrels and continual Duelling, till at laſt it was ordered, that a *Frenchman* and a *Spaniard* ſhould not uſe the ſame Houſe, in order to put an End to theſe Broils. Though embarked in the ſame Bottom, with equally the ſame Cauſe at Heart; yet

to



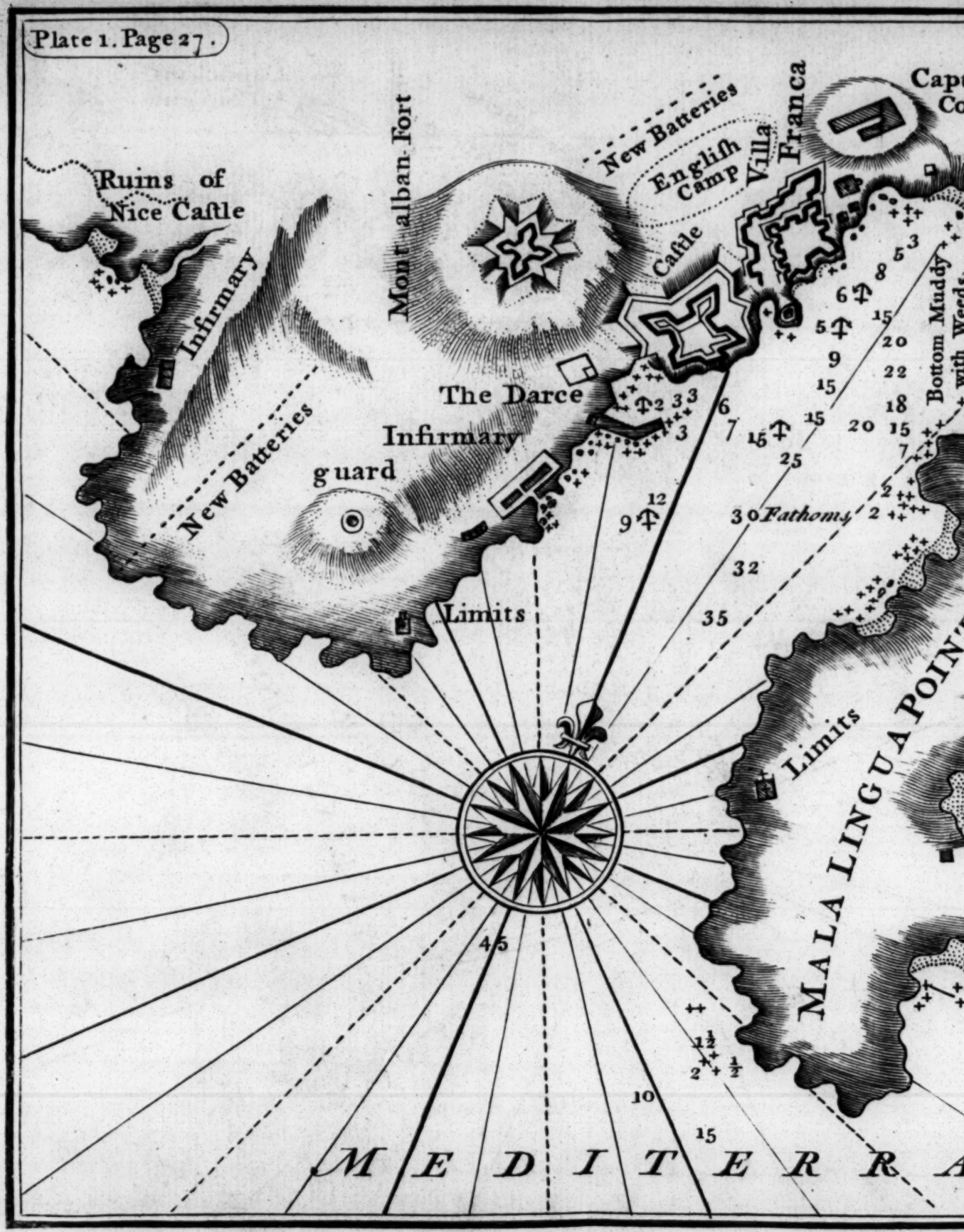
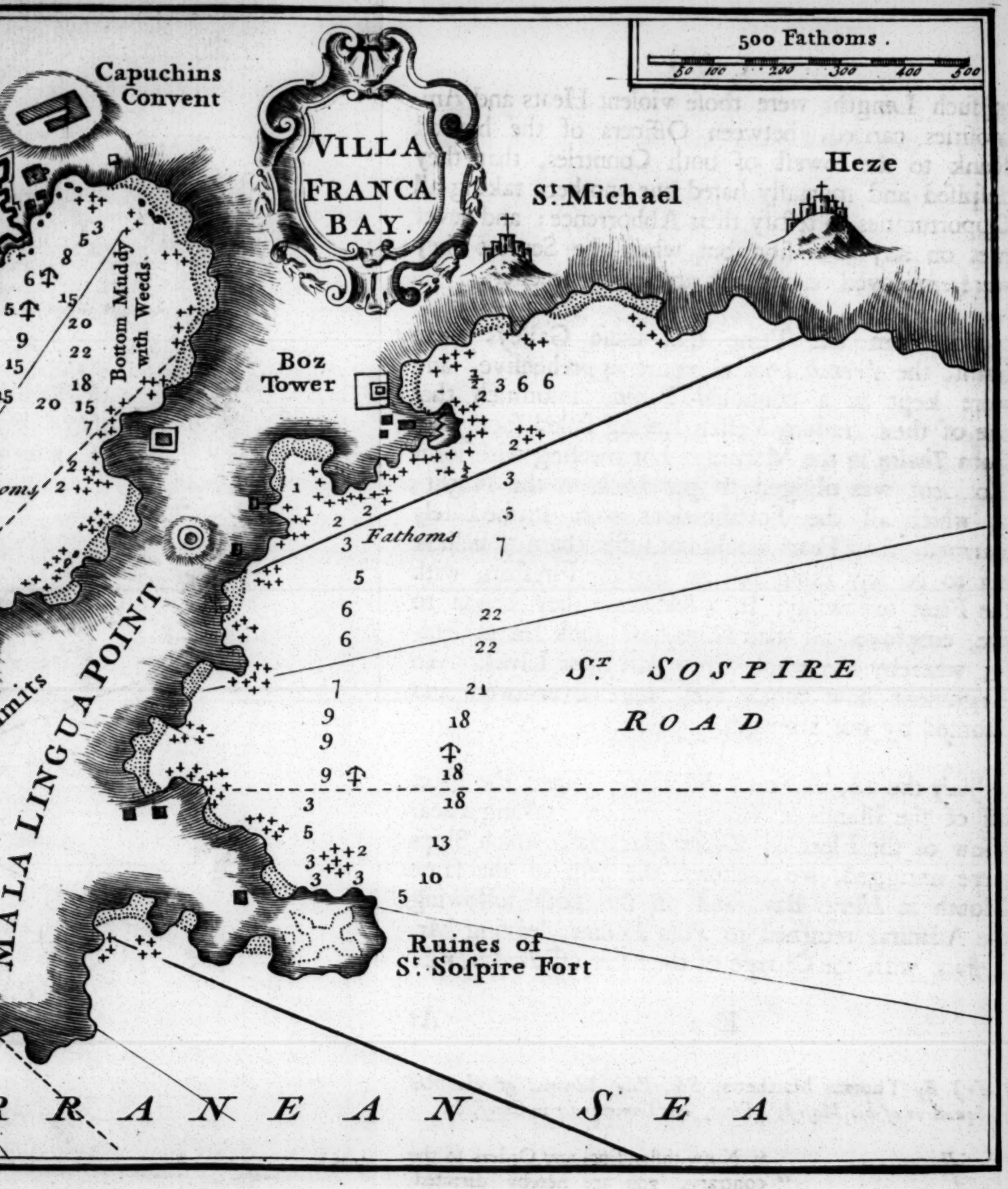


Plate 1. Page 27.
Ruins of Nice Castle
Infirmary
New Batteries
Mount alban Fort
New Batteries
English Camp
Villa Franca
Castle
The Darce Infirmary
guard
Limits
Limits
Bottom Muddy
30 Fathoms
MALA LINGUA POIN
MEDITERRA


500 Fathoms.
50 100 200 300 400 500
Capuchins Convent
VILLA FRANCA BAY.
St. Michael
Heze
Bottom Muddy with Weeds.
Boz Tower
Fathoms
MALA LINGUA POINT
St. SOSPIRE ROAD
Ruines of St. Sospire Fort
RANEAN SEA

to ſuch Lengths were thoſe violent Heats and Animoſities carried, between Officers of the higheſt Rank to the loweſt of both Countries, that they deſpiſed and mortally hated one another, taking all Opportunities to teſtify their Abhorrence; and never met on any Occaſion but when the Service they were employed on made it abſolutely neceſſary.

But from the Time that theſe Galleys were burnt, the *French* became more apprehenſive, and were kept in a continual Panic, inſomuch that one of their trading Veſſels having ſailed ſoon after from *Toulon* in the Morning, but meeting with ſome Accident was obliged to put back in the Night; at which all the Fortifications were immediately alarmed, their Fears would not ſuffer them to believe her to be any thing but an *Engliſh* Fireſhip, with the Fleet following: In a Moment they began to fire, employed all their Guns, and ſunk her preſently, whereby the whole Crew loſt their Lives. An Argument how much they were over-awed and daunted by our Strength.

July the 2d, Admiral *Matthews* joined the Fleet off of the Iſlands of *Hieres*; and after taking a near View of the Fleet in *Toulon* Harbour, which Ships were unrigged, we anchored the fifth of the ſame Month in *Hieres* Bay, and on the 20th following the Admiral returned to *Villa Franca*, leaving Mr. *Leſtock* with the Charge of the Fleet off *Toulon* (r).

(r) *By* Thomas Matthews, *Eſq. Vice Admiral of the Red Squadron of his Majeſty's Fleet, and Commander in Chief*, &c.

Norfolk.
Ruſſel.
Princeſs Caroline.

" Notwithſtanding any Orders to the " contrary, you are hereby directed, " forthwith to proceed with his Majeſty's Ship

At this Time the People of *Nice* were in the greateſt Tribulation, for fear *Don Philip* ſhould attempt forcing his Paſſage through that Country, having already requeſted the Favour of paſſing with his Troops of the Commandant, who, conſidering the Engagement of his Maſter, could not well be ſo complaiſant. In order, therefore, to be the better able to oppoſe the Infant, the Admiral put aſhore the *Minorca* Detachment under the Command of Colonel *Hooke*, amounting to about five hundred Men; likewiſe aſſiſted in lending ſome Cannon from the Ships to mount on Redoubts that had been raiſed to repulſe and deter the *Spaniard*. Moſt part of the Summer was ſpent, and during the Stay of the Soldiers on Shore we ſuſtained no other Loſs than by Deſertion, many of them

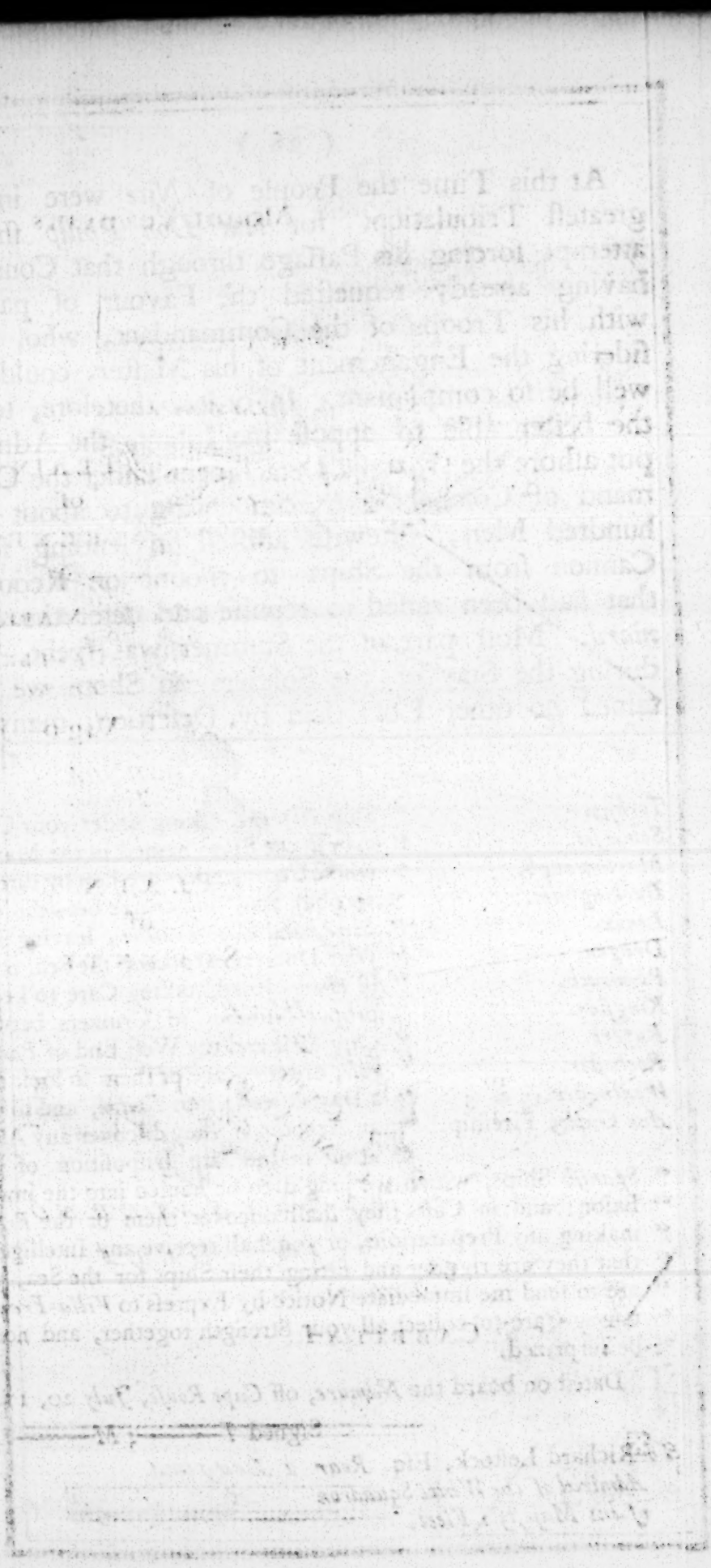
Torbay.
Somerſet.
Marlborough.
Buckingham.
Lenox.
Dragon.
Plymouth.
Kingſton.
Rupert.
Rocheſter.
Wincheſter.
Ann Galley Fireſhip.

" Ship *Neptune*, taking under your Com-
" mand, the Ships named in the Margin,
" whoſe Commanders are hereby directed
" to obey you, and cruize between *Cape*
" *Sicie*, and *Cape Taillat*; leaving it to
" your Diſcretion to keep the Sea, or lay
" in *Hieres* Road, taking Care to keep a
" proper Number of Cruizers between
" *Cape Sicie* and the Weſt End of *Porque-*
" *rolle*, ordering one of them to look once
" a Day at leaſt, into *Toulon*, and to give
" an Account if they diſcover any Alter-
" ation in the late Diſpoſition of the
" *Spaniſh* Ships, which we judg'd to be hauled into the inward
" Baſon; and in Caſe they ſhall diſcover them or the *French*
" making any Preparations, or you ſhall receive any Intelligence
" that they are rigging and fitting their Ships for the Sea, you
" are to ſend me immediate Notice by Expreſs to *Villa-Franca*,
" taking Care to collect all your Strength together, and not to
" be ſurprized."

Dated on board the *Namure*, off *Cape Rouſe*, *July* 20, 1742.

Signed *T———s M———s.*

To Richard Leſtock, Eſq. *Rear Admiral of the White Squadron of his Majeſty's Fleet.*



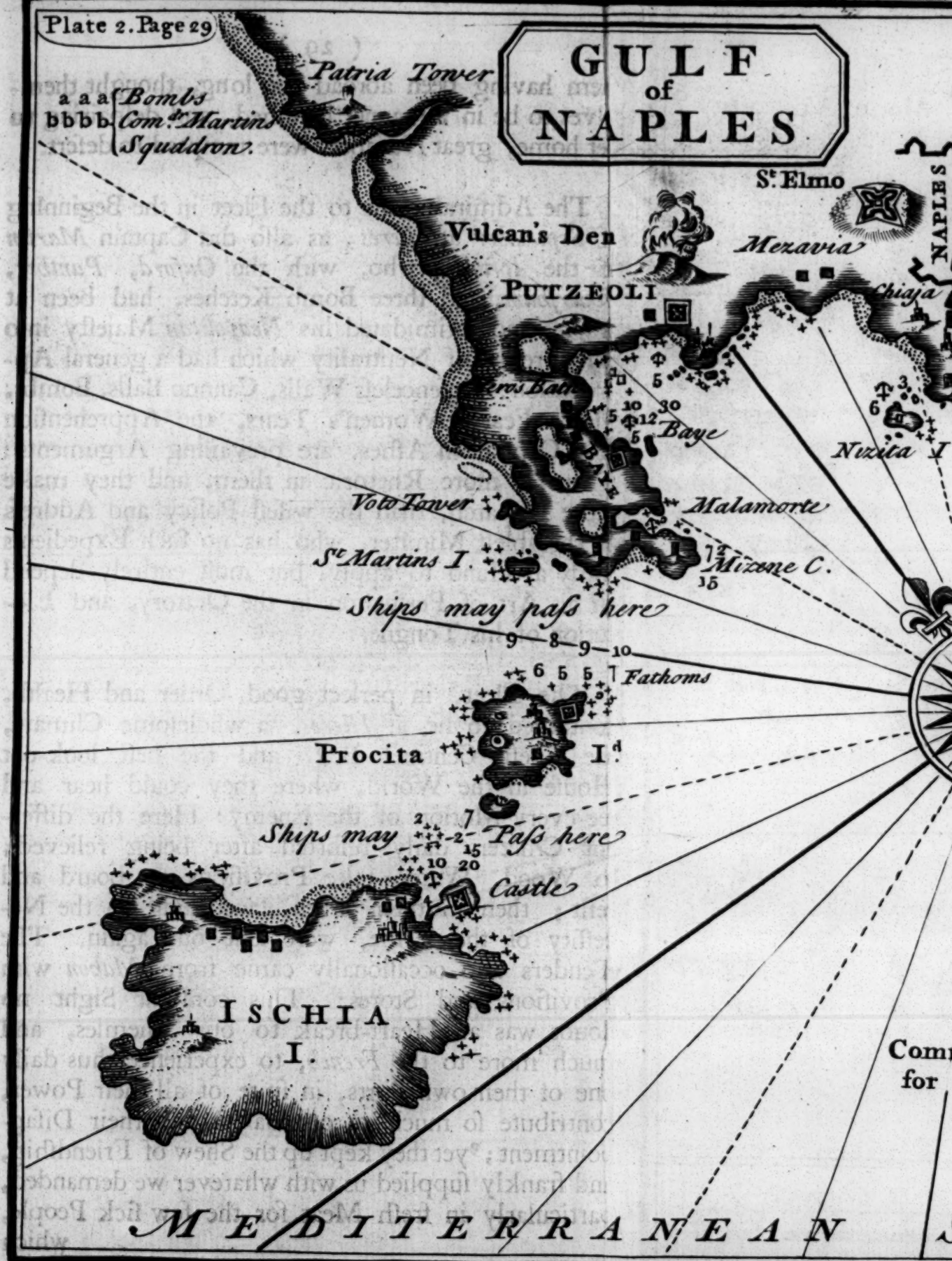


Plate 2. Page 29
GULF of NAPLES
Patria Tower
a a a Bombs
b b b b Com.r St. Martins
Squaddron.
St. Elmo
Vulcan's Den
Mezavia
PUTZEOLI
Chiaja
Baye
Nizita I
Volo Tower
Malamorte
St. Martins I.
Mizone C.
Ships may pass here
9 8 9 10
6 5 5 7 Fathoms
Procita I.
Ships may
Pass here
Castle
ISCHIA
I.
MEDITERRANEAN


Mount Vezuvius
St. Magdalen
St. John Tedesco
Resino
S. Arcangelo
NAPLES
The b Mole
Com.r Martins Squadron
Some
Comare Towers
La Conciada
PLAIN of SERENE
Fort Rovegillana
Chiaja
C. Lone
Pozolipe
Nizita I.
MARE CASTLE
S.t Francis
Vigo
Watch Towers
PLAIN of SURENTI
Watch Towers
CAPE CAMPANEL
Watch Towers
SALERNO GULF
68 Fathoms
Common Paſsage for Ships
CABRITA I.
N S E A
2 Leagues.
1
2

them having been abroad too long, thought themſelves to be in a manner baniſhed, and deſpairing to get home, great Numbers were tempted to deſert.

The Admiral came to the Fleet in the Beginning of *September* at *Hieres*; as alſo did Captain *Martin* of the *Ipſwich*, who, with the *Oxford*, *Panther*, *Feverſham*, and three Bomb Ketches, had been at *Naples* and intimidated his *Neapolitan* Majeſty into that Treaty of Neutrality which had a general Approbation: Defenceleſs Walls, Cannon Balls, Bombs, Men's Fears, Women's Tears, the Apprehenſion of a Capital in Aſhes, are prevailing Arguments: There is more Rhetoric in them, and they make more Diſpatch, than the wiſeſt Policy and Addreſs of the ableſt Miniſter, who has no ſuch Expedients ready at Hand to apply, but muſt entirely depend on his Art of Perſuaſion in the Oratory, and Elocution of his Tongue.

The Fleet, in perfect good Order and Health, continued to lie at *Hieres*, a wholeſome Climate, the fineſt Centinel Box, and the beſt look-out Houſe in the World, where they could hear and ſee every Motion of the Enemy: Here the different Cruizers daily reſorted after being relieved; to Wood, Water, take Proviſions on board and refit; then in their Turn, according to the Neceſſity of the Time, were ſent out again. The Tenders alſo occaſionally came from *Mahon* with Proviſions and Stores: This conſtant Sight no doubt was an Heart-break to our Enemies, and much more to the *French*, to experience thus daily one of their own Ports, in ſpite of all their Power, contribute ſo much to our Safety and their Diſappointment; yet they kept up the Shew of Friendſhip, and frankly ſupplied us with whatever we demanded, particularly in freſh Meat for the few ſick People,

which

which were chiefly on board of the cruiſing Ships that had laſt come in from a Cruize.

1742-3———Nothing of any Conſequence happened until *February* following, when the *Ipſwich*, *Revenge* and *Ann Galley* Fireſhip were ſent to *Hiace* in *Corſica*, where, on preparing to attack the St. *Iſidore*, a *Spaniſh* Ship of War of ſixty-four Guns (which Ship had lain there about a Twelvemonth for want of Maſts, all other Stores and Men) and ſending a Meſſage to Captain *Delage de Cuelly* to ſurrender the Ship, they, the Moment the Meſſenger put off, received a Diſcharge of all her Cannon, and two or three Broadſides paſſed: But as the *Spaniſh* Captain knowing his Weakneſs againſt this Force, had provided a great deal of Bruſh, and ſtowed it between Decks, intending to ſet Fire to the Ship rather than be taken, ſo ſoon as ſuch a Defence had been made as he thought adequate to his Honour; upon crying, Fire, Fire, meaning the Guns, the Carpenter, with his Crew, who were quartered by this Bruſh for that Purpoſe, took the Word of Command to be to them, and ſet Fire to the Bruſh, by which means the Ship was ſoon in a Blaze, blew up, and many loſt their Lives, having no Time to eſcape.

1743——In *April* and *May* the *French* at *Toulon*, began to call in their Men; and it is to be hoped it will not be thought an unneceſſary Digreſſion to obſerve, that they are a People whoſe war-like Genius and Policy will always make them provide for every Event; even in the moſt profound Peace the young Officers and Guard-Marines are perpetually employed (at *Breſt*, *Toulon* and *Rochfort*) in thoſe Exerciſes that are Images of War, where they are careſully inſtructed in the different Ways of working a Ship, and learn the Structure of Veſ-

ſels,

ſels, with the Names and Uſes of all their Parts, where they are chiefly taught to obey and attain to that Dexterity, indiſpenſably neceſſary to attack and ſurprize a vigilant and ſubtile Enemy. To do theſe Academies Juſtice, there is nothing neglected to awaken in young Perſons the Love of their Duty, and to raiſe an Emulation in them to out-do one another: All their Thoughts are applied to thoſe kinds of Knowledge which help to rectify the Mind, habituate it to Attention, and to acquire Penetration and Strength of Judgment: Hence that Nation, ſupercilious and volatile, as it appears in our Eyes, has always a ſufficient Number of regular, well-bred Officers to command in their Fleet upon any Emergency.

Though theſe Exerciſes were frequent in all their Sea-Ports of any Conſequence, where their Officers conſtantly reſide, and are united, converſe daily together, and communicate their Improvements, Knowledge and Experience to one another; yet, at this Juncture, they became uncommonly diligent and aſſiduous. Thirty Veſſels were equipped at *Toulon* for their immediate Improvement; (*s*) the young Officers were daily practiſing in working a Ship

(*s*) *Extract of a Letter from Admiral* Matthews *to Mr.* Leſtock, *dated in* Hieres Road, *June* 23, 1743.

" The *French* talk of joining *Don Philip*, and it is generally " thought, they deſign to force their Paſſage into *Italy* by " *Nice*, &c. But it is my Opinion, that the *French* deſign to " ſend Troops from *Toulon* by Sea, to join the Duke of *Mo-* " *dena*. It is certain ſix thouſand are daily expected in this " Neighbourhood, and I am apprehenſive that the thirty Long-" Boats as they are called, lately fitted out at *Toulon*, in order " to teach their young Officers how to work a Ship, and form " a Line of Battle; though it is certain that they have been out " ſeveral times, and have performed thoſe Exerciſes, as the " *French* term it; yet as each of thoſe Veſſels can take in, one

Ship all the various Ways in a Sea-fight; they formed Lines of Battle in perfect good Order, ſeparated again, extended themſelves, drew up in two ſeparate Bodies, prepared for Battle, advanced in cloſe Order, attack'd, mix'd, fought and broke through each other's Line, till one Party proved victorious, and forced the vanquiſhed to retreat. In theſe lively Exerciſes their Minds are greatly improved, and Genius cultivated. *The forward and impatient to give Battle, the raſh and inconſiderate, who break the Order of Battle, and are the infallible Means to cauſe great Diſorder and Confuſion*, perhaps from too eager a Purſuit of Glory; thoſe who are ſlow and backward from too great a Diffidence, and want of Foreſight, are all equally blameable: They ſtand corrected and reproved, and theſe frequent Examples cannot fail to rectify their Faults by Degrees; while they, who obey with Readineſs, and execute with Judgment, Order and Diſcipline, are confirmed in their Duty, by receiving the Approbation and Applauſe of their Superior. Surely theſe are Exerciſes worthy of our Imitation, equal, if not beyond that Part of our naval Inſtructions, which ſeems to be copied from theirs; and without degrading the Officers of the Royal Navy, they are ſuch excellent Leſſons, that many of our Captains may learn from, and much more ſo the inferior Officers. But how different is our Practice, though we entirely depend on Commerce, are ſurrounded by the Sea; and a Sea-force is abſolutely neceſſary to protect our Trade, prevent

" one with another, upwards of one hundred Men; it is not
" improbable but they may make uſe of them, under ſome
" frivolous Pretence or other for that End; I therefore recom-
" mend it to you, that in Caſe they ſhould make any ſuch At-
" tempt, that you do not ſuffer them to paſs, but to uſe your
" utmoſt Endeavour to intercept them, *&c.*"

T——s M——s.

prevent an Invaſion, and keep our Enemies in awe: Yet no ſooner a Fleet is called Home, than the Officers are all diſperſed over the Kingdom; and when their Country calls on them, it is frequently the Caſe, that by long Abſence from their Duty, moſt of them are become incapable of executing the common Duties of an Officer, much leſs where Underſtanding and Judgment are neceſſary. The Cauſe is obvious, many of their Friends and Relations, whoſe Vote and Intereſt promoted them to be Officers, are, perhaps, *Inn-keepers*, *Tradeſmen*, and *low vulgar People*, or Warrant-Officers, Boatſwains, or Carpenters, who have habituated them to the meaneſt Company, and an abject Spirit. Idleneſs, which begets Diſcord, Effeminacy, Drunkenneſs, and all the Evils deſtructive of Society, joined to their low Breeding, an illiterate Education, the Impoveriſhment of being without Pay when in Commiſſion ſix or ſeven Years, and many other Diſcouragements, which create Poverty and all its Attendants; long Time on the Half-pay, the great Partiality in peaceable Times, that they are not employed alternately; above all, being perfectly eſtranged from the Knowledge of their Profeſſion, or any Converſation whereby they can poſſibly retain the leaſt Remembrance of it; all help to compleat their Ignorance and Folly; ſo that when they come to be commiſſioned, as they poſſeſs no Abilities which can make them uſeful, or able to take on them the Charge that the Seniority of their Commiſſion entitles them to; conſequently, rather than run the Riſque of loſing all their Subſiſtence, they are glad to reſign to live upon the Half-pay. New Officers are made, who, for the preſent, know ſomething more of the Matter, or behave better, with more Life and Spirit, becauſe they are lately come from School, and have not yet had Time to fall into theſe Sinks of Idleneſs and Stupefaction:

But in the End, as they are ſubject to the ſame Concatenation of Incidents, the Train of Ignorance and Stupidity is continued; and thus the Nation is baffled, and provided from one Generation to another, with Officers equally unexperienced and undiſciplined.

This Evil, ſo pernicious to the Country in general, ariſes principally from the want of Academies properly regulated, and it is to be wondered at, that ſo conſiderable a Power in *Europe*, whoſe ſole Strength and Dependance may be ſaid to be on a Naval Force, ſhould not take more Care in training Officers for that Service; while every other Nation ſhews it an Example, though their Situation and Intereſt ſtand much leſs in need of ſuch a Protection.

In the late Lord *Torrington*'s Time, an Introduction was made to this good and excellent Purpoſe. An Academy was eſtabliſhed at *Portſmouth* in Imitation of the *French*; but with this eſſential Difference, that our Academy was at the Expence of thoſe who ſent their Children there, and theirs at the King's, with a proper Governor, and all other Inferiors to him; by which Regulations our Sea-Officers ſuſtained a conſiderable Loſs in the Volunteers *per* Order, or King's Letters, being aboliſhed, as they had no Opportunity of ſending their Children to Sea in his Majeſty's Service, and could not poſſibly afford the Expence of ſending them to the Academy: Hence, it is notorious, that all the Quarter-Decks, the remaining Nurſery for Officers, have been ſinking ever ſince, and now fallen to Decay; and the Academy managed in this manner, has only ſerved to ſpoil the Underſtanding, and corrupt the Heart; and as there have not been for a long Time, above two or three young Gentlemen

there

there at a time, it appears that his Majeſty's Expence, particularly in a fine Building, is loſt; and that the Navy is on a worſe Footing, in regard to a Seminary of this kind, than before the Warrants for Volunteers were taken away.

Though this Academy had been entirely at his Majeſty's Expence, and a Tax had been ſet a-part for ſo good and deſirable an End, yet without a proper Superintendant, it could not have anſwered the Purpoſe; for Experience teaches us that a Commiſſioner of a Yard is by no means a proper Governor, having ſo much other Buſineſs which will not admit of his Attendance on it; therefore it is very aſtoniſhing, that a Nation which can afford a thouſand Pound a Year, to ſupport the Governor of ſuperannuated Seamen or Soldiers, who can be of no longer Service to their Country, cannot afford an Equivalent, or a competent Salary to a Governor, able to form the Minds of Youth in all the early Advances and Improvements, ſolid Principles, good Morals, and juſt Sentiments, ſo eſſentially neceſſary towards making them great and good Officers in the Service of their Country, whoſe Safety may often depend on their Knowledge and Judgment. It is not every old Sea-Officer who is capable of this Undertaking; it is a peculiar Talent to form and ripen the Genius of Youth, and to perfect their Manners and Underſtanding, which few Men are Maſters of: It being the Duty of ſuch a Perſon at firſt to gain the aſcendant, by ſeaſoning his Authority with agreeable Diſcourſe, and delighting the Minds of Youth with ingenious Turns; and to ſteal over the Hearts of thoſe who ſeem to have an Averſion to Inſtruction, there is oftentimes a Neceſſity to make uſe of their Inclinations towards Pleaſure, to captivate and inſtruct them; all Methods and Ways ſhould be tryed to enlighten the

Mind, and to ſubdue the untractable; dry Precepts and Maxims diſguſt; and it is neceſſary to diſguiſe them under the Form of Pleaſure: In ſhort, it argues an Ignorance of human Nature, to attempt to lead it to Wiſdom at once by Conſtraint and Severity; *and we have a late Inſtance of this Obſervation in a young Gentleman's drawing his Sword upon the Governor, or in Defiance of Orders, which the Delicacy of the Pupil would not let him yield to.* During the Sprightlineſs and Heat of Youth, there is no fixing the Attention of the Mind, but by amuſing it; and thus their Paſſions may be led into the Love of Virtue, and every Improvement; and Duty become an Entertainment and Study.

Had a *Kempthorn* or a *Leſtock* been placed from the Beginning of the Academy at the Head of it, many a *Medley*, an *Anſon*, a *Bing*, a *Gaſcoigne*, a *Barnet*, and a *Griffin*, would have been introduced into the Service. But not to tire the Reader any longer, it is time to return to the Narrative.

Fourteen *Xebecks* loaden with Ammunition, Cannon, and other warlike Stores from *Majorca*, bound to any part of *Italy*, where they could be landed for the Uſe of the *Spaniſh* Army, having got ſafe to *Genoa* the latter End of *June*; Admiral *Matthews* on board of the *Namur*, with the *Barfleur*, *Norfolk*, *Princeſs-Caroline*, *Ipſwich* and *Revenge*, went there (*t*) and concluded a Treaty; wherein

(*t*) Admiral Matthews *from the 26th of* June, 1743, *to the 28th of* December, *left Mr.* Leſtock *to command the Fleet off* Toulon.

Extract of Admiral Matthews's *Letter to Mr.* Leſtock *on this Occaſion.*

SIR, *Hieres Road, June 23, 1743.*

" His Majeſty's Service requiring my immediate Preſence on " the Coaſt of *Italy*, I judge it proper to leave you to command the

wherein it was ſtipulated, that the Republic, at their own Expence, ſhould ſend this Cannon and Ammu-

" the Ships in the incloſed Liſt, whoſe Commanders have my " Orders to obey you: It is needleſs for me to leave a Copy of " my Inſtructions with you, you having received from his Grace " the Duke of *Newcaſtle* the ſame, when you was appointed to " take upon you the Command of the Squadron from Mr. *Had-* " *dock*; thoſe Inſtructions are your Ground-work; I ſhall there- " fore recommend it to you, not to ſuffer the *Spaniſh* nor *French* " Ships, now in *Toulon*, to put to Sea without your Knowledge, " and in Caſe you ſhould receive certain Intelligence, that they " deſign to attempt to puſh out, you are to diſpoſe of the Ships " under your Command in ſuch a Manner, as to be able to pre- " vent their getting away without your attacking them; it is " needleſs for me to ſay more to you on that Head, your long " Experience in the Service will dictate to you what elſe is to be " done, recommending it to you, to ſend me two Expreſſes, " one by Land from *Nice*, the other by Sea to *Genoa*, the Mo- " ment you receive certain Intelligence that the *Spaniſh* or *French* " Ships begin to make any Preparations for putting to Sea, and " that you do immediately order in his Majeſty's Ships *Sterling-* " *Caſtle* and *Buckingham*, and, if neceſſary, the *Rocheſter*, the " better to enable you to do your Duty, for which End I have " left you the *Spence Sloop*, and *Hector Row-boat*; ſending me " by all Opportunities whatever Intelligence ſhall come to your " Knowledge, and you ſhall judge neceſſary for his Majeſty's Ser- " vice that I ſhould be immediately acquainted with. And " ſhould any Expreſſes arrive, either from *England*, *Hanover*, " the Army, or *Turin*, you are to ſend them to me unopened, " without a Moment's Loſs of Time."

Yours, *&c. T—s M—s.*

Liſt of the Ships appointed under the Command of Mr. *Leſtock.*

Neptune,
Marlborough,
Torbay,
Cambridge,
Somerſet,
Ruſſel,
Buckingham,
Sterling-Caſtle,
Princeſſa,
Eſſex,
Elizabeth,
Bedford,
Naſſau,
Royal-Oak,
Enterprize Barcalonga,
Rupert,
Dunkirk,
Warwick,
Kingſton,
Dragon's Prize,
Mercury Fireſhip,
Sutherland Hoſpital Ship,
Hector Row-boat,
Spence Sloop.

Ammunition in neutral Bottoms to *Corſica*, where they were to be depoſited during the preſent War in *Italy*.

In *July*, fourteen more *Xebecks* with Cannon and Ammunition eſcaped our Cruizers, by keeping along the Coaſt of *Barbary*, and arrived at St *Lawrence*, near *Civita Vecchia*, where they were landed, and afterwards conveyed to *Viterbo* for the Uſe of the *Spaniſh* Army, in ſpite of the Endeavours and Menaces of his Majeſty's Ships the *Oxford*, *Diamond*, *Durſley*, and a Bomb-Ketch, which Ships were ſent to frighten the Holy Father into a Compliance of what was demanded; who, however, managed Matters very well, in equivocating and aſſerting that theſe Veſſels were unloaden by Compulſion; and in this manner did the Prieſt baffle the *Engliſh* Nation.

The *Guernſey* cruizing off *Cape de Gatte*, much about this Time, did a commendable Piece of Service in deſtroying two *Spaniſh* Privateers, one of which was a Ship of 22 Guns, and 150 Men, that run in under the Shelter of a Fort of eight Guns, and the Wind blowing very freſh right upon the Shore, it was with great Danger that Capt. *Corniſh* beat her to Pieces. This Exploit ſtruck the Privateers with an extraordinary Panic, that for three Weeks or a Month after, none of them ſhewed their Faces on that Coaſt, or in the *Gut*, until preſſing Orders came from *Madrid* to the Governors of the different Provinces, particularly to him in the Neighbourhood of *Gibraltar*, who forced them out again; and from the Encouragement they met with, they became as troubleſome and impudent as ever.

Since which, a Sort of Neutrality was concluded; the Garriſon at *Ceuta* being in a ſtarving Condition,

dition, the *Spaniards* engaged themſelves not to moleſt us in the *Gut*, provided we would, on our Part, admit their Boats to paſs to and fro to *Ceuta*: The commanding Sea-Officer thought it too advantageous a Propoſal to be refuſed; and by an Authority or Credential unknown, which not a little ſurprized ſome, agreed to a Truce, which ſaved our Ships a great deal of cruizing, and for ſome Time perfectly ſecured our Trade; and now that the Garriſon is well ſupplied, the *Spaniards* have lately broke this Ceſſation.

The Merchants complain grievouſly of the Interruption of their Trade here, but they are generally drawn away, or blinded by the artful Inſinuations of their Skippers, who never fail in the Knack to repreſent Misfortunes of this Kind, in the Colours neceſſary to ſhew they are owing to the Careleſsneſs of others, rather than any Neglect of their own. Likewiſe the unthinking People of *Gibraltar* join with them in aſſuming a very great Liberty, who having little to do, have Leiſure to animadvert perpetually on the Conduct of Sea-Officers, though their Knowledge in Sea Affairs is very ſuperficial, yet there is not one among them who does not decide with an Air of Sufficiency and Preſumption; they talk too much, and do not hearken at all to others, and are vain enough to imagine themſelves infallible. In ſhort, nothing can eſcape their Cenſure, their Contumely and Obſervation, and the Judgments they form from Appearances, a Smattering in the Theory part of an Officer, and the Prejudices they have conceived, which dazzle their Eyes, are extremely ſtupid and ridiculous.

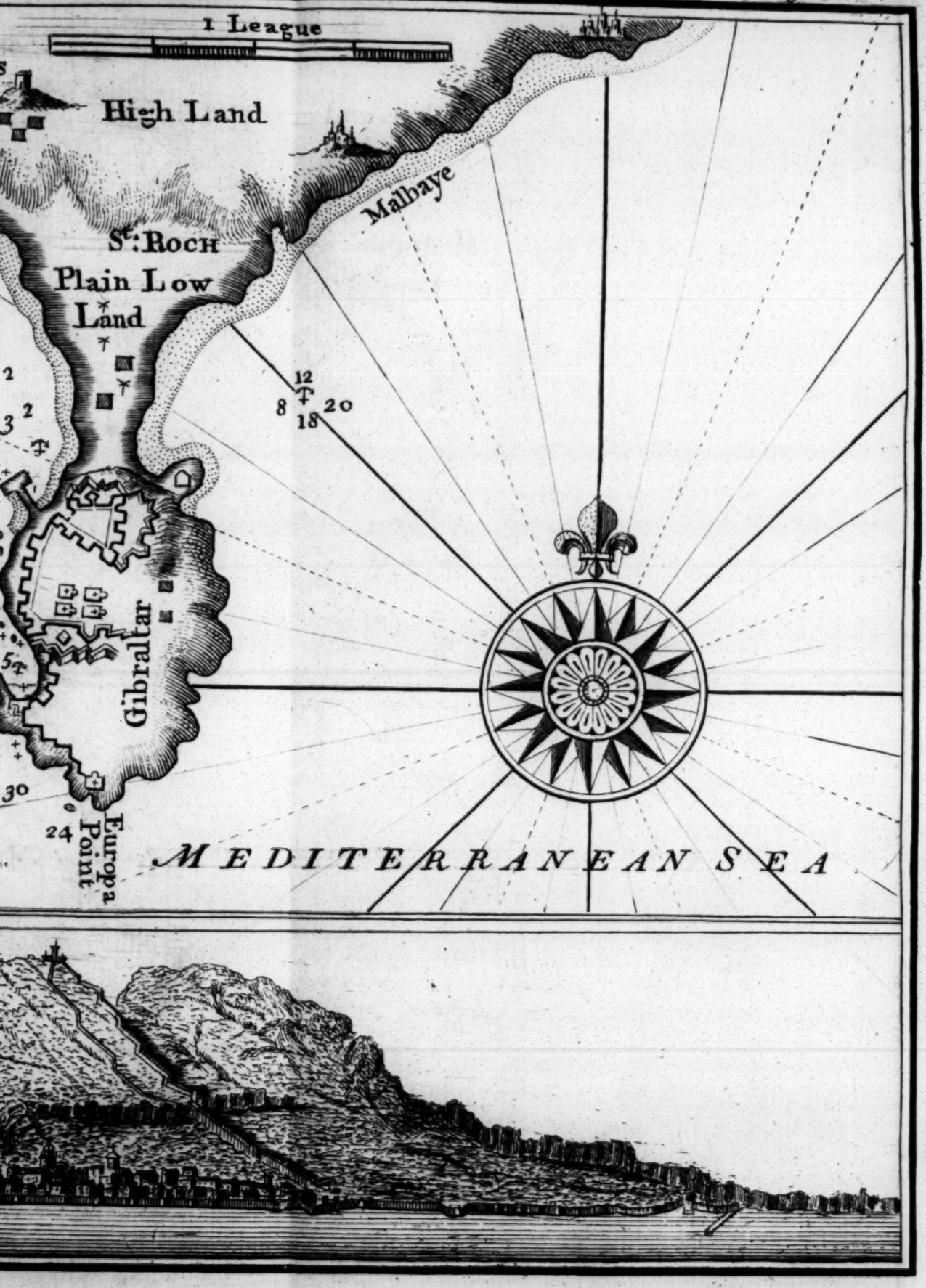
On the other Hand the Gentlemen of the Navy, who are puniſhed with this diſagreeable Station, where there is no Poſſibility of pleaſing, have daily experienced

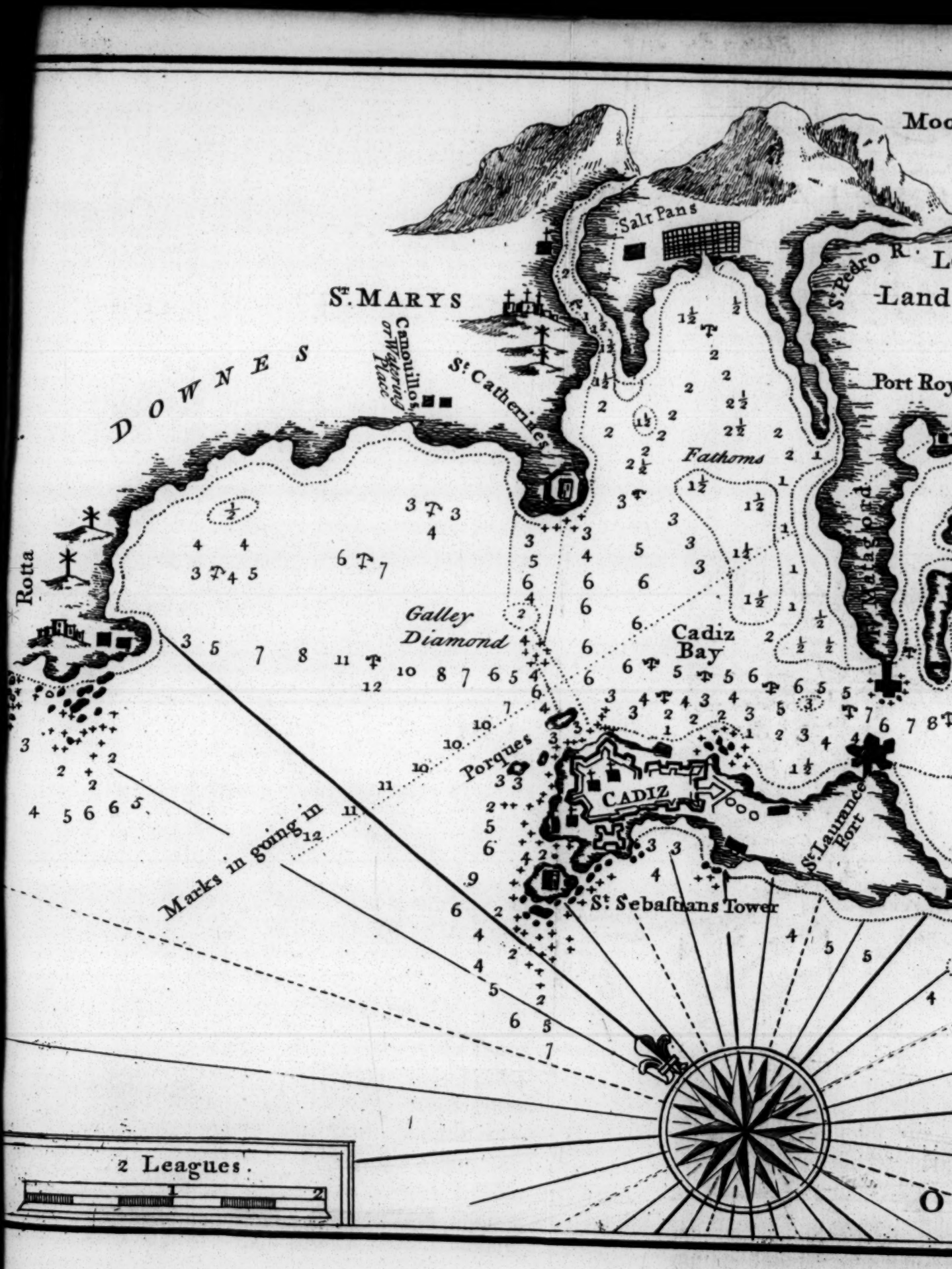
experienced the true Cauſes to proceed from an un-alterable Obſtinacy and Folly in the Maſters of the Merchant Ships, which inconſiderate ſenſeleſs Men have often been warn'd of the Danger, and earneſtly requeſted to ſtay, perhaps a Day, or leſs, when the Orders of the Captain cruizing in the *Gut*, or thereabouts, would have admitted him to have ſeen them ſafe through, or into *Gibraltar Bay*; nevertheleſs they have continued their Courſe in Contradiction to this Caution, raſhly depending on their own Strength, and have ſuffered for their Contumacy: In like manner the *Crawley Pink* was taken.

The Situation of the *Straits* Mouth, with the many other Advantages, which the *Spaniards* poſſeſs in the Extent of Country to harbour theſe pilfering Veſſels, who are in and out in a Moment all along the Shore from *Cape Trafalgar* to *Gibraltar*, in ſpite of all the Endeavours and Circumſpection in the Power of Man, make it morally impoſſible for a ſmall Number of his Majeſty's Ships to prevent many of our Trade falling into the Enemy's Hands; eſpecially as a weſterly Wind, which brings our Ships into the *Gut*, often blows ſo hard, that no Ship can keep that Station: But though an entire Succeſs is not to be commanded here, yet it is to be confeſſed that a better Diſpoſition might be made to guard againſt theſe paltry Privateers, which would make us the more deſerving of it, and entitle the Sea-Officers to the like Benevolence and Returns of Gratitude, which our Merchants, on all Occaſions, teſtified in a conſpicuous Manner to Mr. *Haddock*, for the Care he always took of their Commerce.

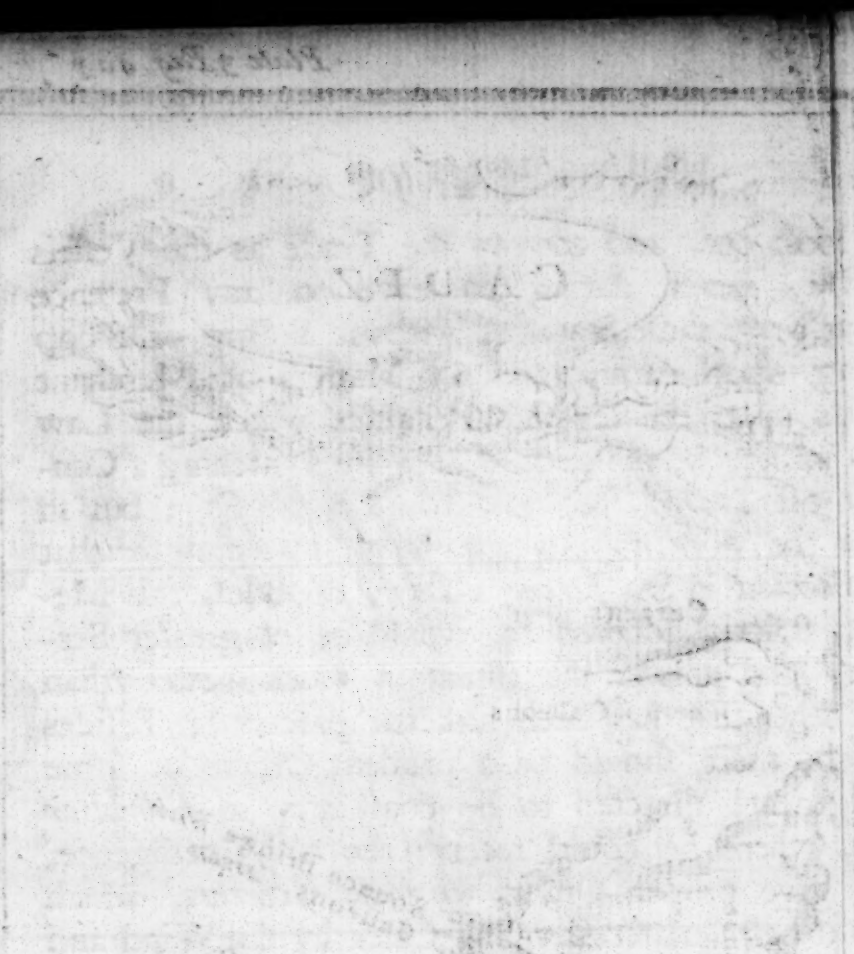
Two Ships off *Cape Spartel*, two more, or Sloops to lie in *Tangier Bay*, with one or more in the *Gut*


GIBRALTAR
Watch Towers
River Devil
Hi
S:
Plain
Land
B A Y
Watch Towers
OLD
GIBRALTAR
Old Mole
Unfathomable
New Mole
Gibraltar
Watch Towers
Carnero
Cape
Europa
Point


1 League
High Land
Malbaye
St: Roch
Plain Low
Land
12
8
18
20
Gibraltar
Europa
Point
MEDITERRANEAN SEA


Moo
Salt Pans
St. MARYS
Canouillos or Watering Place
St. Catherines
DOWNES
S. Pedro R.
Land
Port Roy
Fathoms
Rotta
Galley
Diamond
Cadiz
Bay
Porques
CADIZ
St. Laurance Port
Marks in going in
St. Sebastians Tower
2 Leagues.
1
2
O


Moors Head
CADIZ
S.t Pedro R.
Low Fenney-
Land
Medena
City
Port Royal
Caracas
Where y.e Galleons
lye up
Malabord
Pontall Road
White
House
Souace Bridge Where y.e
Galleons Caren
Chiclana
Shallow
Water
S.t Laurance
Port
Salt Pans
CADIZ ISLE
Hercules Towers
Vermea
Tower
S.t Peters Isle
Tower
O C E A N



to look out, and convoy the Trade as the Veſſels arrive, never daring to leave on any Pretence whatſoever thoſe Stations, without a Ship or Sloop being upon each; and all Maſters of Merchant Ships upon the ſevereſt Penalties which the Law can inflict, be obliged, if they miſs catching a Convoy off *Spartel*, to look into *Tangier Bay*; but in Caſe the Wind ſhould be eaſterly, to ſearch for that Protection in St. *Jeremy*'s *Bay*; doubtleſs this Method ſtrictly adhered to, would be of greater Service, and anſwer the Intention much better than any other that has been hitherto practiſed: Beſides which, there ſhould be a prudent Officer of ſome Judgment, directed to lie conſtantly in *Gibraltar Bay*, where he could receive the beſt Intelligence, and give proper Orders to theſe Cruizers, which would be regulated in many Caſes by the Wind and Weather, the daily Occurrences which happen, and the caſual Attacks of the Enemy.

Tariffe, the *Bee-hive*, from whence they can eaſily diſtinguiſh a Sail whenever ſhe comes within the *Capes*, where commonly may be ſeen Swarms of them at a Time, is a very inconſiderable Place; a ſmall Force would ſoon make a Bonfire of the whole Neſt, or deſtroy them effectually, by cannonading, if landing was not thought neceſſary to lay the Village in Aſhes; a much more notable Piece of Service, than any of our late boaſted Feats on the Coaſt of *Catalonia:* It is true, that an Action of this Sort would not totally ſuppreſs theſe pernicious Inſects, which, like Muſhrooms, are continually ſpringing up and making their Exit; but it would bring about a long Interval from their Inſult, the Privateers could not fetch Breath immediately, and if the *Guernſey* frightened them for a Month, by the Miſchief ſhe did to them; by the ſame Parity of Reaſon, ſuch a Deſtruction among

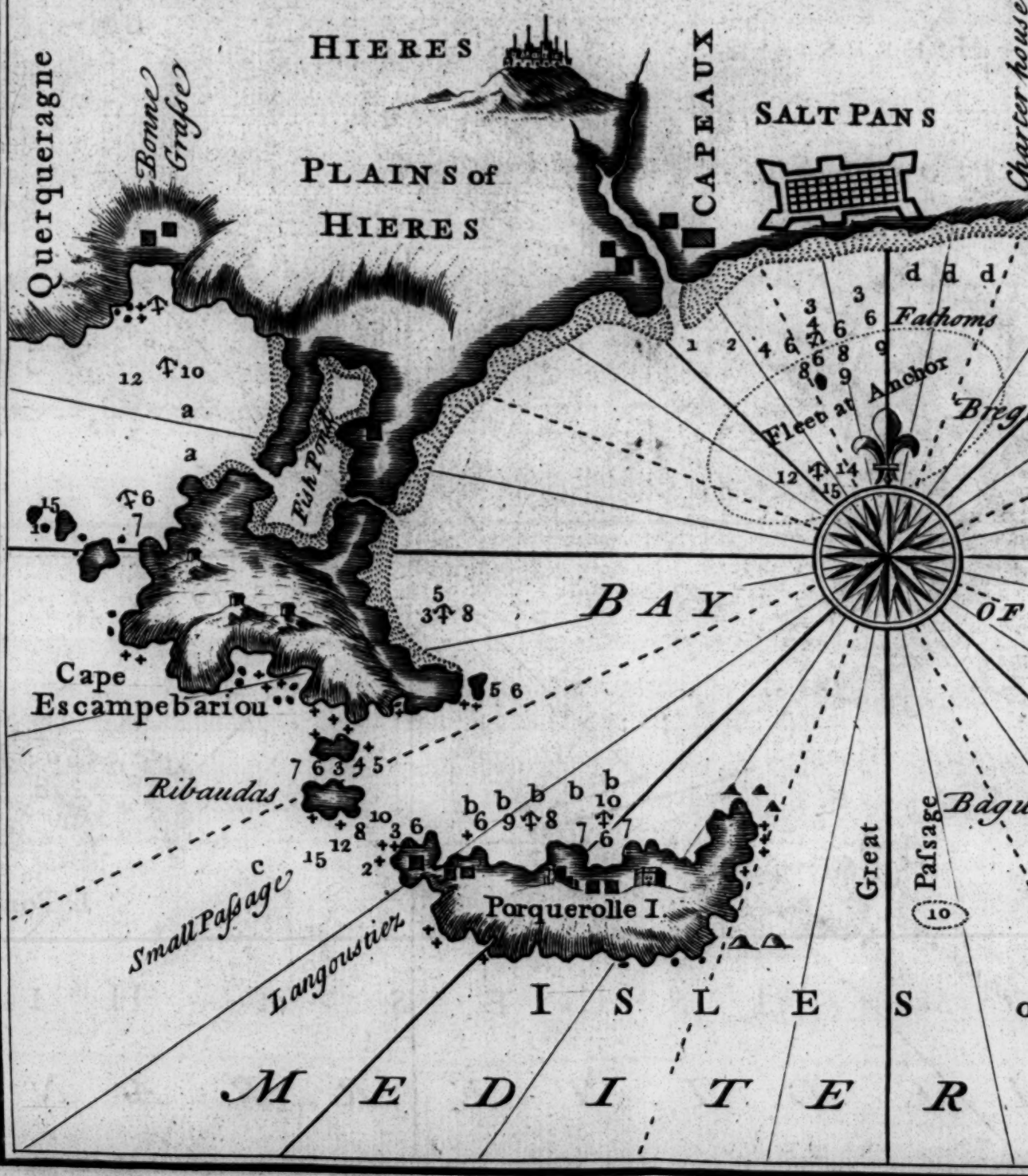
them, would ſtrike a greater Terror, diſcourage new Adventurers, and keep them in perpetual Fear and Awe, in Proportion to the Importance of the Injury done them: For which Reaſon this Enterprize is worth our Conſideration, as is every other where there is the leaſt Probability of leſſening their Numbers, or intimidating them from harbouring in ſo advantageous a Situation, whereby they are enabled to do us the Prejudice which has given an Occaſion for hideous Clamours and Complaints.

The King of *Sardinia* having defeated the *Spaniards* and *French* ſhamefully, who did not loſe leſs than eight thouſand Men in endeavouring to force the Paſſes about *Suſa*, it was apprehended, that the next Attempt they made would be in the Country of *Nice*; therefore all poſſible Preparations were made to repulſe them, and to defend this Paſſage into *Italy*; new Works were raiſed, others were added to the old, with great Repairs, and the *Rocheſter*'s lower tier Guns, and ſome others were mounted to the Sea Side from Mount *Alban*; likewiſe the *Barfleur* and *Norfolk* ſailed from *Hieres* to *Villa Franca*, with great Part of the *Minorca* and *Gibraltar* Detachments ſerving on board of the Fleet, in order that they might be in a conſtant Readineſs to be landed there, whenever any Neceſſity appeared; which Ships continued with Admiral *Mathews*, who had been there ever ſince his Return from *Genoa*, while Admiral *Leſtock* watched the *Spaniſh* and *French* Fleets in *Toulon* Harbour.

All the Prudence, Penetration, Policy or Addreſs, which human Nature is capable of, could not have prevented the Enemy from facilitating and forwarding their Deſigns and Views in *Italy*, had it not been for the Advantages that the Fleet reaped

BAY, and ROADS, of the

a. *Winchelsea & Diamonds station to watch the Enemys Motion*
b. *Essex, Dunkirk, Kingston, Chatham, Feversham, under Porquerolle*
c. *Winchelsea made Signals to the Ships under Porquerolle, when ye Enemy*
d. *Bombs & other small Craft.*



S, of the ISLANDS of HIERES.

3 English Leagues.

Motion

Porquerolle to repeat Signals to y^e Admiral.

when y^e Enemys were coming out

CAVALIERE

Cape Martin

Lavendour

Boirme

Charter house

Largentiere

Leube

PANS

Cape Benas

Lavendour Anchoring Place

Bout Rock

Fathoms

Anchor

Bregançon

Eastern Pafsage

OF HIERES

Equinade Rocks

Levant I

Porto Cros

Pt Mayé

Bagueau

Pafsage

Great

I. Porto Cros

S of HIERES

RANEAN SEA

reaped from lying at *Hieres*, particularly in the Situation of that Bay, in its Nearneſs to *Toulon*: It was impoſſible that the Fleet, or any Force ſufficient to cope with the combined Fleets, could have kept the Sea two ſuch ſevere Winters, in ſuch extraordinary hard Gales of Wind and great Seas, which were ſo frequent in theſe Gulphs: Loſs of Maſts, crippling and diſabling the Fleet, if not loſing ſome of the Ships, would have been the Conſequence of endeavouring it: As it was, all the Stores which his Majeſty's Yard at *Mahon* could furniſh, barely ſupplied the Exigencies of the Cruizers that were employed. Whether this proceeded from the Violence of the Weather and Sea, or the Ships being over maſted, eſpecially thoſe of the new Eſtabliſhment, as they did certainly ſuffer the moſt, or want of Diſcretion, it is not eaſy to determine; but it is eaſy from thence to form this Judgment, that had the whole Fleet kept the Sea, and ſuch Accidents happened equally alike to every Ship, it would have taken all the Stores in his Majeſty's Yards in *England* to have kept the Fleet in good Repair: Beſides, the Ships muſt have been refitted after ſuch long Cruizes, where many Men would have died (which Loſs could by no means have been made good) ſince we have experienced, that the greateſt Skill in Phyſic cannot provide Remedies againſt the Diſeaſes, which the ſudden Heats and Colds, the Inclemency of the Weather, and, above all, ſalt Proviſions, unavoidably ſubject Seamen to. At ſuch Junctures then, when Want of Proviſions and Water, Sickneſs, Loſs of Maſts and Streſs of Weather, or any other Incidents in the Power of Wind and Sea, forced the Fleet to go to *Mahon* or to *Villa-Franca* to repair; or even, when we were blown off the Coaſt, which muſt have been often our Misfortune; in any of theſe Caſes, it would have been practicable for the Enemy, with

the Aſſiſtance of the *French*, to have put their favourite Schemes in Execution, and laughed at our vain, ridiculous Endeavours, in ſtriving againſt theſe Impoſſibilities to hinder them.

Nothing is more obvious, than that this Bay was the principal Cauſe of preventing the *Spaniards* from gaining their Point, as it not only kept our Strength together, but preſerved it from falling into an inferior Force to the Enemy, and the *French* Squadron: It ſaved alſo a great Expence, and many Seamens Lives to his Majeſty: It kept the Fleet in good Order, and conſtant Readineſs for ſailing; the Officers and Seamen fattening in a fine Climate, with Indolence, and ſlumbering without Anxiety, enjoying all the Conveniences and Advantages that could poſſibly be procured in any Harbour, excepting that of careening our Ships, which was our only Trouble, as no great Number of them could be ſpared at a Time, in order to keep the Fleet, in general, tolerably clean, allowing for the Force of the *Toulon* Fleets, the Diſtance from *Mahon*, with the Conveniency and uſual Diſpatch made there. In this Time of Neceſſity we had very few clean Ships, all the three Deck Ships were extremely foul, ſome of them having been off the Ground three Years and an half *(u)*; however, the *Marlborough*

(*u*) *Extract of a Letter from* Admiral Mathews, *to the D—ke of* N————le, *dated in* Villa-Franca *Harbour*, September, 21, 1740.

" Many of the Ships with me have been ſo long out of *Eng-*
" *land*, that were they to be ſent down to be repaired, they
" could not be refitted ſo as to join me in three Months, if ca-
" pable of being repaired without a Dock. I have repreſented
" the State and Condition of the Ships under my Command ſo
" often, and to ſo little Purpoſe, that I am tired of complaining;
" I have

Marlborough was diſpatched to *Mahon*, but alarmed back again without being able to heave down; and the *Barfleur* was on following her, had not Mr. *Leſtock*, conſidering the Forwardneſs of the Enemy, and that there was already more Work to be done at *Mahon*, than the Artificers could poſſibly do at a Time, taken the Liberty to ſtop her.

This was a Misfortune, and a great Extenuation of our Power, in the Opinion of every Man, who is a Judge of the Difference of a foul, and a clean Ship.

On the contrary, from the Time that *Don Philip*, with the *French* Auxiliaries, had been ignominiouſly defeated by the King of *Sardinia*, the *French* and *Spaniards* at *Toulon* began to fit and equip their Ships.

In *September*, Orders came to careen the *French* one after another; ſoon after, an Order to clean three at a time; and afterwards they diſpatched no leſs than five: Then the *French*, whenever they were done, removed into the outer Baſon to make Room for the *Spaniards*, who likewiſe careened all their

"I have likewiſe recommended to their Lordſhips, that they "would be pleaſed to order out ſome great Ships, to relieve "ſome that have not been dock'd, nor careen'd, near three "Years, nor will the Service admit their being ſent, for want "of a ſufficient Number of Hands to diſpatch them; and if they "ſtay out much longer, it is my Opinion, ſome of them will "not ſwim home without being ſheathed; how, and in what "Time that can be done (without great Prejudice to the other "Services) is paſt my Underſtanding. In ſhort, the keeping the "Ships out ſo long is their utter Deſtruction, and is not only a "great Diſcouragement to the Officers and Men, but alſo injurious to the Service.

their Ships, and refitted with all poſſible Expedition (*w*).

While theſe Preparations were going on, nothing was more talked of, nothing ſo often repeated in all their News Papers, than that they ſhould be out very early in the Spring, to ſink, burn and deſtroy our Fleet, if we did not leave the *Mediterranean*; but there is little Dependance on what a *Frenchman* ſays; however, much our Fleet wiſhed for their coming out, yet they had their Fears and Doubts, that all this Buſtle and Noiſe would prove in the End as uſual, to be meer *French* Boaſt, deſigned to amuſe the Queen of *Spain*, and to gain more Influence in the Courts of *Europe*, or perhaps a Stratagem to harraſs or keep us together, in order to prevent the neceſſary Cruizers going out to annoy the Enemy, and hinder Embarkations or Supplies getting to *Italy*; as alſo to ſtop any Aſſiſtance being given to his *Sardinian* Majeſty, to put him in Poſſeſſion of *Final*, according to the Treaty of *Worms*.

But

(*w*) *Extract of a Letter from* Admiral Mathews, *to the D—ke of* N——le, *dated* September 21, 1743.

"I have received certain Advice that the *French* at *Toulon*, "are careening all their Ships, have called in their Seamen, and "that they work as if they were to put to Sea with the utmoſt "Expedition. The *Spaniards* have unbent their Sails, and it is "writ me, that they are putting aſhore all their Powder, in "order (as it is believed) to careen their Ships, the Truth of "which I ſhall know in a few Days; if that be Fact, it will "take up ſome Time, though the *French* want neither for pro-"per Conveniences, nor Aſſiſtance for Expedition; whereas, "God knows, we want for every Thing, and ſhould it turn out "a *French* War, the Fleet under my Command is by no means "in a proper Condition for it in any Reſpect. In the firſt Place, "I have not a ſufficient Number of Ships to enable me to keep "ſending a proper Number to refit and careen; and if I had, "the Want of Artificers at *Minorca*, will not let me depend up-"on their rejoining me in any reaſonable Time.

But theſe Apprehenſions were diſſipated before the latter End of *December*, when they appeared to be ſo much in earneſt, that all their Ships were cleaned, refitted and compleated in Readineſs for the Sea.

The *Spaniards* conſidering their great Neceſſities, had made an unuſual Diſpatch, having been obliged to make their own Cables, and a great deal of their Rigging; they were forced to unman four of their ſmalleſt Ships, which, however, did not compleat the Complements of the reſt, but they daily expected the Number wanted from *Catalonia:* And theſe four Ships which were to be left behind, at all Events, would be getting ready to ſteal away the firſt unguarded Opportunity with Embarkations to *Italy*.

The *French*, notwithſtanding their excellent Regulation of the Marine, and the extoll'd Advantages of having Recourſe, on every Occaſion, to their Regiſter Seamen for the equipping and manning a Fleet in the Twinkling of an Eye, or in a ſurpriſing incredible Time, gave, at this Juncture, a Proof, that they were almoſt as ſlow as their Neighbours, and that the boaſted Value of their great Strength in having ſuch Numbers of Seamen at a Moment's Warning, is rated by Appearances, and not in Reality; for it was manifeſt, after five or ſix Months trumpeting, proclaiming Pains and Penalties on the Backward and the Fugitives, with all the Power and Oppreſſion which an arbitrary King can inflict, as well as laying an Embargo on all their Trade (which is exceedingly great in the *Mediterranean*, eſpecially to and from *Turky*, that there may be ſeen near an hundred Sail at a Time coming from thence, bound to *Marſeilles*; no pleaſant Sight to an *Engliſhman*; but what has been frequently

ly obſerved ſince our Fleet has lain at *Hieres)* they were forced to drag into their Service Seven thouſand Men not regiſtered; One thouſand of which were Maſters of trading Ships, and ſmall Veſſels; and to this Streight and extream Diſtreſs were they reduced, only to mann ſixteen Ships of the Line of Battle.

Our Cruizers were daily reſorting to *Hieres*; the Frigates, as well as thoſe Ships of the Line of Battle. Mr. *Matthews* himſelf arrived in the *Namur* the 28th of *December*, after ſix Months Abſence from the Fleet; the latter Part of which Time he had been at *Turin*, and was ſaluted by all the Ships, being now Admiral of the Blue Squadron of his Majeſty's Fleet, and Mr. *Leſtock* Rear Admiral of the Red Squadron.

1743-4—The 3d of *January* Mr. *Leſtock* hoiſted the St. *George*'s Flag at the Foretopmaſt-head on board the *Neptune*, as did alſo Captain *Rowley* the ſame Flag at the Mizentopmaſt-head on board of the *Barfleur*. *This Gentleman was firſt appointed a Captain in* 1716, *and commanded a Twenty-Gun Ship for ſome Years on the* Iriſh *Station, where, if he had not ſo good an Opportunity to ripen his great Talents and to perfect his Judgment and Experience, as in Fleets, or in the many different Expeditions the Royal Navy has ſince that Time been employed on, he, however, reaped the Sweets of an advantageous Station from whence he was paid off, and continued on the half Pay, and did not receive a Commiſſion till* 1741, *when he was appointed Captain of the* Barfleur.

Until the 12th of *January*, we could not muſter up more than eighteen Ships of the Line; conſequently we were under the moſt anxious Apprehenſions, leſt the confederate Fleets ſhould hurry out of

Toulon

Toulon, and attack us; in which, were we to judge from their late Conduct and diſtinguiſhed Bravery, they would have certainly obtained a compleat Victory; but they, let ſlip this Opportunity, and our Ships the *Elizabeth*, *Berwick*, *Princeſſa* and *Marlborough* joined the Fleet from *Mahon*. No ſooner than the third of *February*, did the *Somerſet* and *Warwick* arrive, two Ships looked upon to be unſerviceable, and repreſented to be almoſt ready to drop to Pieces, from being abroad ſix or ſeven Years, that were juſt then upon ſailing for *England*; but on this preſſing Occaſion, luckily enough countermanded. And the ſame Day the *Dragon*, Capt. *Charles Watſon*, unexpectedly came to *Hieres*, which Ship had been lately employed on the ſeveral Cruizes between *Toulon* and *Gibraltar*; and, in Conſequence of her Orders, was in her Tour to have cruized ſome Time off *Cadiz*, and then proceed to *Liſbon*, where the Captain of her was ſure of the Benefit of eight hundred Moidores Freight Money; yet the Moment he heard of the Preparations of the Enemy, and the Likelihood of their coming out to Sea, he made no Heſitation. The alluring Advantages of a Trip to *Liſbon*, the darling Wiſhes of the Captains in his Majeſty's Fleet, with the fair Proſpect of catching an immenſe Fortune, on a Station extremely envied and ſought after, did not weigh with him, when he found them incompatible with the Service of his King and Country. But from the moſt diſintereſted Motive, without Orders, he, with the utmoſt Expedition, joined the Fleet at *Hieres*, whereby this Gentleman may have poſſibly loſt that conſiderable Prize, which was taken by the *Solebay* to the Value of 300000*l*. For at that Time he would have been on that Station, and the *Solebay* probably, either in *Gibraltar Bay*, or protecting our Trade in the *Gut* from the *Spaniſh* Privateers.

A Demonſtration of his great Eſteem of perſonal Poverty, when the true Intereſt of his Country called him; ſuch an ardent Zeal, ſuch juſt and unbiaſſed Sentiments, ſo uncommon, nay without an Example in the Navy, cannot but raiſe our Admiration to the higheſt Pitch, and inſpire us with the moſt fervent Wiſhes for the Welfare and Happineſs of ſo much real Merit, which cannot be rewarded with too much Diſtinction, nor public Acknowledgments.

Captain *Graves* of the *Marlborough*, the Senior Captain in the *Mediterranean*, who had wore a broad Pendant, during the Time he had been Abroad, and repeated Signals, as the Superior of the third Diviſion, and commanding in the third Poſt; an Officer of approved Loyalty and Capacity, whoſe firſt Commiſſion, as a Poſt Captain, bears date *January* 1712-13; having been ever ſince employed in his Majeſty's Service, always contenting himſelf with ſuch Voyages or Services, as his Superiors had allotted him; eſpecially on the late Expedition to *Carthagena*, when many others ſneaked away from their Duty to his Majeſty and the Public, and got themſelves excuſed: He, with the greateſt Alacrity, went that Voyage, and behaved himſelf with remarkable Bravery and Diſcretion; finding on his Arrival at *Hieres* Mr. *Rowley*, (a Junior Officer) Rear Admiral of the White Squadron, he immediately reſigned his Commiſſion, and went Home by *Land*, univerſally lamented by all his Officers and Ship's Company. He was not Maſter of that Docility and Submiſſion to continue ſerving under a Junior; his Spirit was not tamed enough, neither would his Senſe of Honour ſuffer him to be thus pliant: He therefore thought quitting the Navy the only Reſentment in his Power, as he could not bear the Mortification which he always faithfully endeavoured

voured not to deſerve; and he apprehended the Injury done to his Seniority, Pre-eminence and long Services, entirely ſet him free from all Subjection, or the leaſt Stain and Reproach for leaving the Fleet, when ſo fair an Opportunity was juſt ready to offer, to make known his further Abilities, Courage and Pretenſion to a Flag.

The Addition of ſeven ſuch Ships gave us great Spirits; and if we were diſpirited, or caſt down before, we were now got into the other Extream, exulting and defying our Enemies and their Auxiliaries; a general Joy was diffuſed all over the Fleet, at the ſame Time that the *French* and *Spaniards* did not at all like the Appearance of ſuch a Reinforcement; and though the Enemy had received the Complement of Men expected from *Catalonia*, yet it was now given out that they ſhould not ſail, until they had farther Orders from Court: This Rumour joined to that good Opinion we are always inclined to conceive of ourſelves, and our invincible *Armadas*, with a very deſpicable one of our Enemy, led us to that Vanity of Conceit, that they durſt not venture: So eaſy are we puffed with any View of Proſperity.

The *French* and *Spaniſh* Admirals came to *Hieres*, and took a View of our Fleet; Couriers were daily diſpatched to Court and arriving from thence; *Councils of War, the Reſource of all conſummate and experienced Commanders were frequently held* (*x*); in one of which, the *Spaniſh* Officers oppoſed going to Sea, until they were reinforced, when the *French* Admiral

(*x*) This we neglected, though the conſtant Practice of the greateſt Generals that ever lived; who have ever eſteemed it of the higheſt Importance in Affairs of War, to deliberate with many, and to decide with few; to aſſemble their principal Officers, to hear all their Opinions, and from thence form a ſecret Reſolution to be executed with all poſſible Speed.

Admiral to put an End to the Debate, read his Maſter's Orders, which were to proceed immediately to Sea in Conjunction with the *Spaniſh* Squadron, and after they had begun the Action, he was directed to deſtroy us, or to bring our Fleet into *Toulon* Harbour.

While we were vainly boaſting of our Strength, and fooliſhly enough echoing aſhore, the Expectation we had of more Ships joining us every Day from *England*; the *French* had Recourſe to their accuſtomed Artifice and Policy, in undervaluing and extenuating the Force of our Fleet; and with great Art and unwearied Induſtry, brought their poor deluded People to believe that we were very inconſiderable; only a few great Ships amongſt us, all the reſt Frigates, infinitely diſtreſſed for want of Men, Powder, and every neceſſary Store, requiſite to compleat a Ship of War: No Stone was left unturned, no Lye untold, however fooliſh and ridiculous, that could poſſibly ſerve to enliven and animate their Men. But though theſe Reports were credited by the *French* with as wonderful a Facility as the Authors of ſuch Falſhoods told them, yet neither the *Spaniſh* Officers, who were equally able with the *French*, if not their Superiors, nor their Men could be impoſed upon in this egregious Manner; nay, even Truths well atteſted by many concurrent Circumſtances, and clearly diſcerned by indifferent Perſons, that they would not admit of the leaſt Doubt, if told by a *Frenchman*, a *Spaniard* was ſure to refuſe his Belief. Truth and Falſhood from that Quarter, were alike regarded by the *Spaniard*, whoſe Deteſtation was become invincible, through the ill Uſage and repeated Inſults they had been continually receiving from the *French* Nation in general, ſince their Reſidence in *Toulon* Harbour; and by all Accounts, joined to the many Civilities and great

great Reſpect, which, upon every Occaſion, they paid to the *Engliſh* Gentlemen they caſually met with, either at *Marſeilles* or *Toulon*, as well as their own Converſation, they would have rather joined us to have fought the *French*, than engaged with them againſt us.

The *French* had concerted many Projects, to annoy and deſtroy us, which were heartily ridiculed and laughed at by the *Spaniards*; among which were the Bridges that they tryed the Experiment of, and exerciſed with wonderful Dexterity and Succeſs in *Toulon* Harbour, when the Water was as ſmooth as a Pond. Theſe extraordinary Machines reached from the Laniards of their Shrouds upwards, and were intended to be made Uſe of in boarding our Ships; they were contrived to let fall in an Inſtant upon us, by which thouſands were to enter, to ſwallow up our ſmall Numbers, and thereby take our Ships in a Trice. Another ſubtle Invention of Deſtruction was a Contrivance to let drop Boxes of Combuſtibles from their Yard Arms, to ſet us on Fire; Scythes very long to cut our Rigging, and the Nettings which they had heard that we had provided to catch the Boarders in, if they ſhould inconſiderately attempt this ſilly Stratagem. However excellent theſe Schemes and Devices ſeemed to be in Speculation, it is hardly poſſible that they could be executed in Fleets, and on Board of Ships much higher and loftier than thoſe from whence they were to be performed; wherefore the *Spaniards* very judiciouſly contemned them as illuſive and inſignificant; and as the Fruits and Expedients of Brains acquainted with the Theory, but altogether Strangers to Practice.

About the middle of *January*, the *Winchelſea* was ordered off of *Toulon*, to obſerve the Motions of the

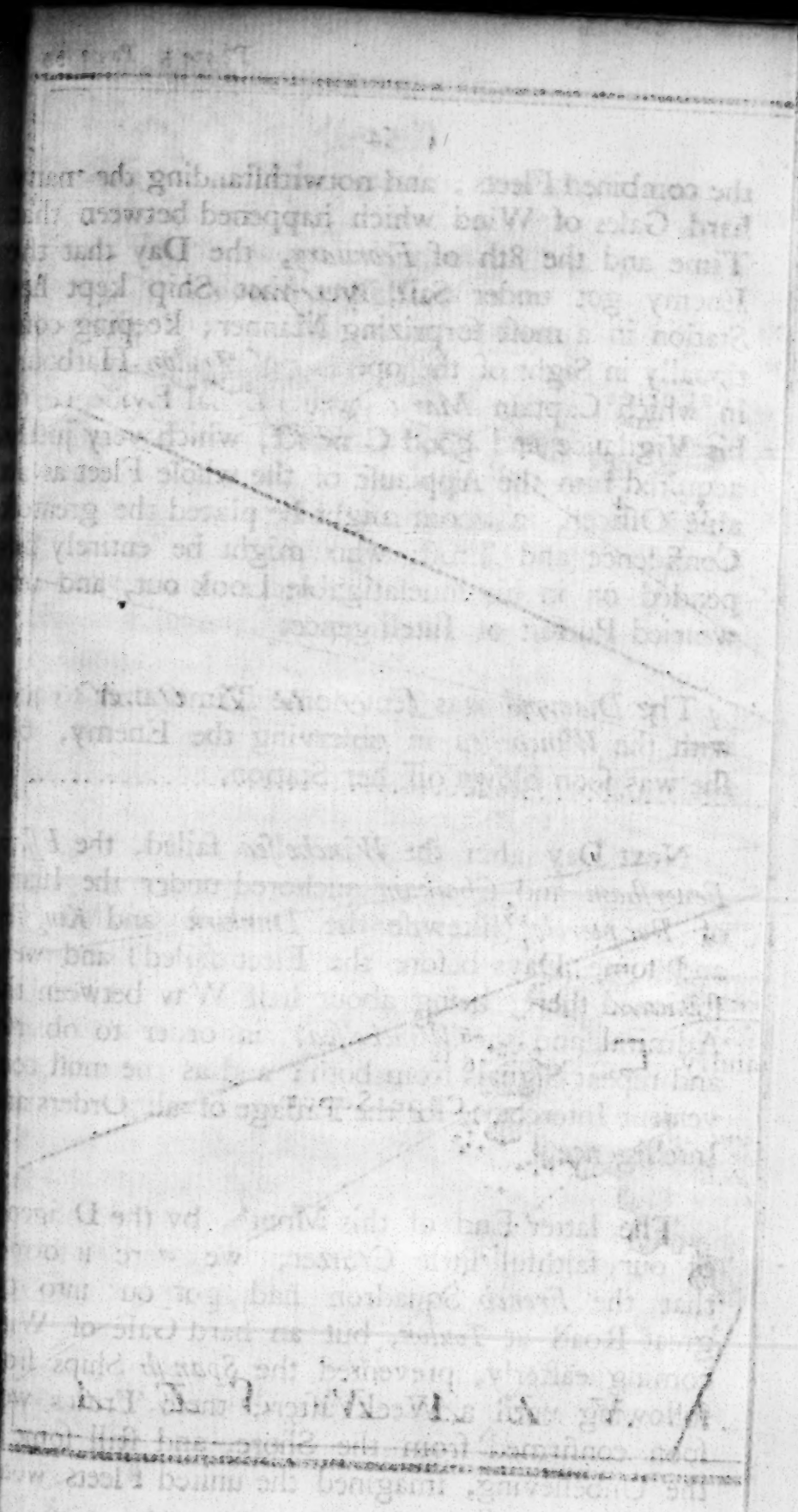
the combined Fleets; and notwithſtanding the many hard Gales of Wind which happened between that Time and the 8th of *February*, the Day that the Enemy got under Sail, yet that Ship kept her Station in a moſt ſurprizing Manner; keeping continually in Sight of the opening of *Toulon* Harbour, in which Captain *Marſh* gave a ſignal Evidence of his Vigilance and good C nduct, which very juſtly acquired him the Applauſe of the whole Fleet as an able Officer, in whom might be placed the greateſt Confidence and Truſt, who might be entirely depended on in his indefatigable Look out, and unwearied Purſuit of Intelligence.

The *Diamond* was ſent ſome Time after to join with the *Winchelſea* in obſerving the Enemy, but ſhe was ſoon blown off her Station.

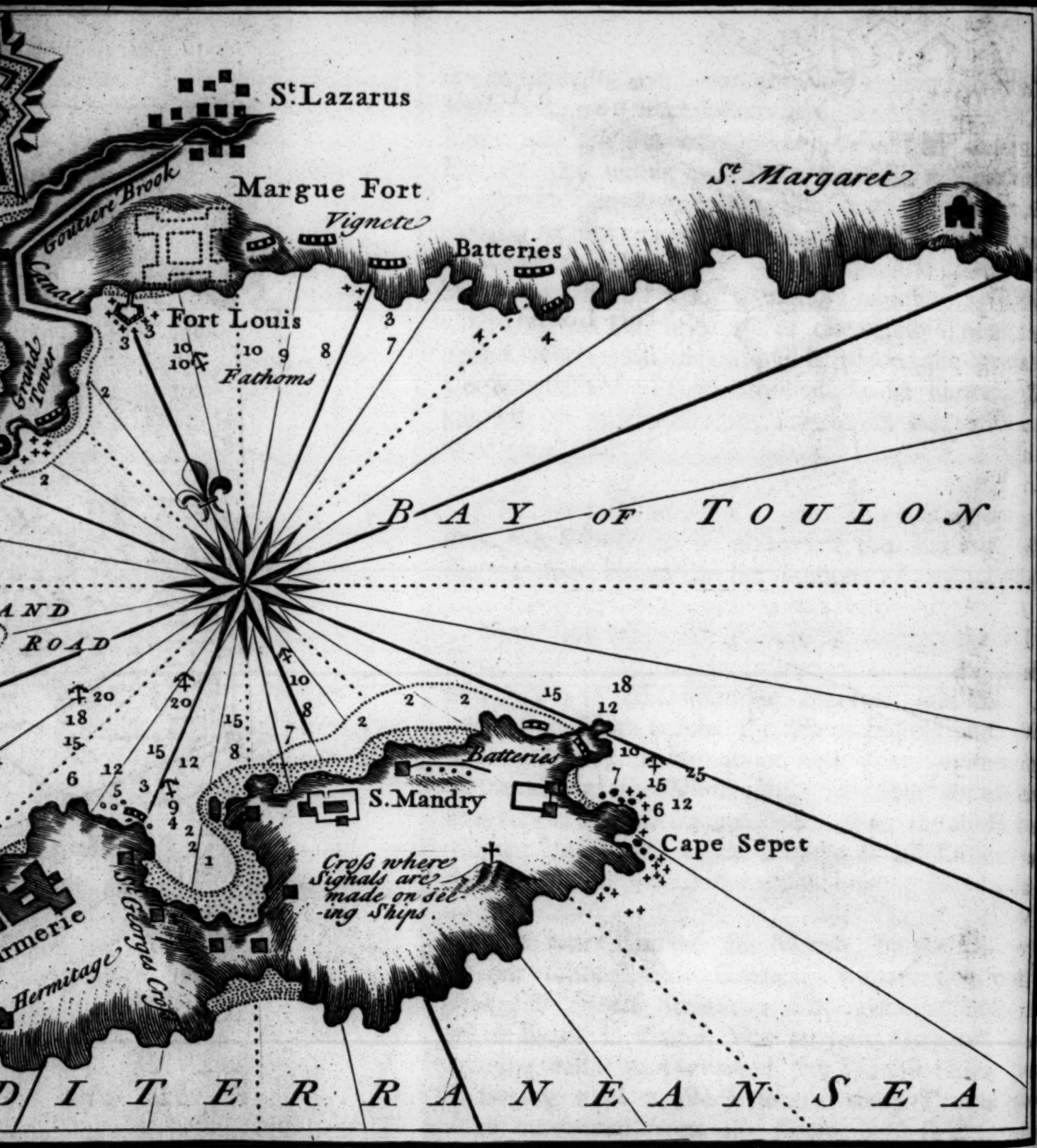
Next Day after the *Winchelſea* ſailed, the *Eſſex*, *Feverſham* and *Chatham* anchored under the Iſland of *Porquerole* (likewiſe the *Dunkirk* and *Kingſton* and ſome Days before the Fleet ſailed) and were ſtationed there, being about half Way between the Admiral and the *Winchelſea*, in order to obſerve and repeat Signals from both; and as the moſt convenient Intercourſe for the Paſſage of all Orders and Intelligence.

The latter End of this Month, by the Diligence of our faithful little Cruizer, we were informed that the *French* Squadron had got out into the great Road at *Toulon*, but an hard Gale of Wind coming eaſterly, prevented the *Spaniſh* Ships from following until a Week after; theſe Truths were ſoon confirmed from the Shore, and ſtill ſome of the Unbelieving, imagined the united Fleets would never come to Sea.

Wedneſda




Bay & Roads of TOULON.
TOULON
New Bason
Old Bason
Bakehouse
le Mail
Gouttiere Brook
Canal
Grand Tower
Castle of Micicie
Pequier
Muddy
Muddy
Milau
Brugaillion
Boom
GRAND
ROAD
Leguillete Fort
Bellaguie Fort
SEINE
One English Mile.
Low Land
Infirmerie
Hermitage
PART OF
CAPE SICIE
MEDI


St. Lazarus
Margue Fort
Goutiere Brook
Canal
Vignete
Batteries
St. Margaret
Fort Louis
Fathoms
Grand Tower
BAY OF TOULON
AND
ROAD
Batteries
S. Mandry
Cape Sepet
Cross where Signals are made on seeing Ships.
rmerie
Hermitage
St. Georges Cross
D I T E R R A N E A N S E A

Wedneſday, *February* 8, at Three in the Afternoon, the *Winchelſea* came in Sight, in the Weſtern Paſſage of the *Bay*, and made the Signal that the combined Fleets were coming out; upon which the *Eſſex*, at an Anchor under the Iſland of *Porquerole*, repeated the Signal, and then the Admiral anſwered them (*y*). Immediately after, the public and private Signals were made to unmoor with all poſſible Expedition, when the Fleet unmoored, hove ſhort. and lay ſo all Night; being little Wind, the *French* and *Spaniſh* Ships came to an Anchor under the Land near *Toulon* Harbour, and the *Oxford* and *Guernſey* got under Sail, in order to lie without the Iſlands to obſerve them.

Thurſday, *February* 9, at Dawn of Day, little Wind and almoſt Calm, we ſaw the *Real*, the *Spaniſh* Admiral, with a *French* Ship of War over the low Land ſtanding off and on. At Nine, the *Eſſex* made the Signal that the combined Fleets were under Sail. At Ten our Fleet weighed on a little Breeze of Wind ſpringing up Weſterly; *when the Admiral for the firſt Time, ſince he commanded in the Mediterranean, made the Signal for the Fleet to draw into a Line of Battle, one Ship a-head of another*; and the Vice-Admiral with his Diviſion made Sail a-head, but about Noon the Admiral made the Signal for the Van of the Fleet to tack, and we continued all the reſt of the Day plying to Windward, between the Iſlands and the main Land in the Bay of *Hieres*, where there was not room to form a Line. At Five the Fleet anchored in the *Bay*, the Enemy were

(*y*) Vice Admiral *Leſtock* ſays, in the Account he delivered to the Houſe of Commons, that he at this Time waited of Mr. *Mathews*, and deſired to know, as he had the Honour to command next to him, and the Enemy was in Sight, if he had any particular Commands or Inſtructions, but he anſwered No, ſaying it was very cold, and bid him go aboard.

were employed this Day in forming a Line of Battle in the beſt Order, and by haling their Wind, they not only ſeemed to be ſenſible of the Advantage they already had in the Weather-gage, *but they, like able Officers of cool Heads and ſolid Judgments, were preparing to get into the wiſeſt Diſpoſition of Battle in their Power, and were unwilling to make an ill Uſe of the Aſſiſtance of Providence, by making too much haſte to bear down upon their Enemy in Diſorder and Confuſion.*

Friday, February 10, the Fleet, at Day-break, weighed with the Land Breeze, and at ſeven the Admiral having made the Signal for the Fleet to draw into a Line of Battle one aſtern of the other, with a large Wind, and for thoſe to lead who were to lead with their Starboard Tacks abroad by a Wind, the Vice Admiral and his Diviſion anſwered this Signal, by making Sail immediately a-head; but the little Wind, with an high Weſtern Swell, and the unaccountable Impatience of many of the Ships in crowding and preſſing upon one another, whoſe unſeaſonable Eagerneſs was not to be held in, even by Order and Diſcipline, hindered the Fleet from getting out of the Bay in the Diſpoſition of Battle, according to the Signal abroad. Inſtead of Obedience, the firſt Habit which a military Man ſhould learn, no leſs than twelve or fourteen Ships of the Van and the Center, with both their Chiefs, were got into the Southern Paſſage where there is no anchoring; mixed in an Heap, Heads and Sterns athwart, juſt upon being aboard of one another, entirely governed and conducted by the Swell, with all their Boats endeavouring to tow them clear of this imminent Danger, without any Probability of eſcaping a greater Loſs than any in the Power of the Enemy to inflict; a pleaſant Sight to them, and an anxious Situation and Concern to us, yet beyond the

Judgment

Judgment and Expectation of a Man, who depends not on the coming of Miracles in every Exigency of Life, the Ships were extricated from these Difficulties, as it were, by the Intervention of the Deity.

We discovered the Enemy, the Body of their Fleet bearing about S. W. distant four or five Leagues, who stood towards us, seeming to have the Wind Westerly, while what little we had was Easterly. At Noon, the *Boyne* and *Chichester* joined us from *England*, and saluted the Admiral. Half an Hour after, the Admiral made the Signal for the Fleet to draw into a Line of Battle, one Ship a-head of another. At two o'Clock, he hoisted a Blue Flag at the Flagstaff on the Mizen Top-mast-head, and fired a Gun; which Signal, by the 8th Article of the fighting Instructions, is for him that commands in the 3d Post, and the Ships of the Larboard Quarter to clap by the Wind, and to come to their Larboard Tack; but by the 9th Article of the sailing Instructions, it is for all the Ships of the Fleet to bring to with the Larboard Tack; the Admiral having brought to, the inferior Admirals repeated the Signal *, and the Fleet brought to with the Larboard Tack; little or no Wind, and the Swell driving us nearer and nearer the Island of *Porquerole*. At Three, the Admiral made the Signal for the Fleet to draw into a Line of Battle, one Ship a-breast of another, and with a little Air of Wind Easterly he stretched with his Division to the South-westward, the Vice Admiral with his Division to the Westward, and the Rear Admiral with his Division made all the Sail they could in order to extend the Fleet, and to form the Line of Battle. But in the Evening we were not at all regular, the Rear Admiral's Division was straggled, and a great way a-stern of the Center; neither was the Center, nor the Vice

* The Necessity of an Alteration in our Signals, as this Signal means two different Things.

Admiral's Diviſion formed in Order of Battle. On the contrary, the Enemy's Fleet ſeemed to be in an excellent Diſpoſition, and a good Line, not above the Diſtance of four or five Miles, to the Number of thirty-ſix Sail, twenty-eight of which formed their Line, ſixteen *French*, and twelve *Spaniſh*, the other eight were Frigates and Fireſhips. The *French* Admiral, Monſieur *de Court*, with a white Flag at the Mizen Topmaſt-head was in the Center; Monſieur *Gabaret*, with a Cornet or Flag with a Swallow Tail, was in the Van; and Don *Navarro*, the *Spaniſh* Admiral, with a Flag at the Mizen Topmaſt-head, on board of the *Real*, a Ship of 114 Guns, was in the Rear; with five of the *Spaniſh* Ships a-head of him, and the other ſix a-ſtern.

About half an Hour after it was dark, the Admiral put abroad four Lights in his Fore Shrouds, and fired eight Guns, which is the Night Signal for the Fleet to bring to, the windwardmoſt Ships to do it firſt, and to lie by with their Larboard Tacks aboard; the Fleet accordingly brought to, being very near the Enemy, and in Sight of them all Night. The Wind variable in the Eaſtern Quarter. (z)

Saturday,

(z) Admiral *Mathews*'s Account, publiſhed by Authority, ſays, That he brought to ſo very near to the Enemy that he could count the Enemy's Ships after the Moon was down; but could not at the ſame time ſee Vice Admiral *Leſtock* and his Squadron, he having brought to ſo far to windward, that when it was dawning, and the Admiral had made Sail, and the Signal for the Line of Battle a-breaſt, the Vice Admiral was full five Miles a-ſtern of him.

Mr. *Leſtock* ſays in his Account, That he brought to, being in a Line of Battle with Admiral *Mathews*, within three Miles of the Enemy, two of whoſe Ships bore away from him: But at Day-break finding himſelf a greater Diſtance from the Admiral than at Night when he brought to, occaſion'd by a Shift of Wind, Eddy or Indraught of the Iſlands, while Mr. *Mathews* was in the Offing, in the Power of the Current, he made Sail, and by that time the Admiral made the Signal for the Fleet to make Sail, which he repeated: At half paſt ſix in the Morning he was near being

Saturday, *February* 11, when Day appeared, inſtead of being formed in tolerable Order, or any thing like a Line of Battle, the Ships were ſcattered, and extended wide of one another, rather more uneven than when we brought to at Night, which proceeded from a Line never as yet having been formed, and the Current with the Wind being variable. The combined Fleets kept in an uniform Line, and had made Sail in good Order, ſtretching to the Southward, the Body of their Fleet diſtant from ours ſeven or

ing a-breaſt of him, though their Diviſions were far from being cloſed together, and the Rear Admiral's a great way to windward of the Line of Battle. Time will ſhew which of theſe two is the trueſt Account; but if Mr. *Mathews* intended that the Fleet ſhould endeavour to form in a Line in the Night, as it did not appear to be formed before it was dark, certainly he miſtook the Signal he made; for by that, it became the Duty of every Ship to bring to, without regarding the Signal for the Line a-breaſt, when it was ſeen flying, ſince the expreſs Words of this Inſtruction, command that the windwardmoſt Ships ſhall bring to firſt, which is the 7th Article of the fighting Inſtructions. And as a Seaman and an Officer I take upon me to ſay that there is no ſuch thing as bringing to in a Line of Battle a-breaſt, becauſe when a Fleet has been ſailing in a Line a-breaſt, and a Signal is made for bringing to, tho' they were in a Line a-breaſt before they brought to, after bringing to, the Ships muſt be right a-head one Ship of another, by coming to the Wind; like a Rank of Soldiers ſtanding in a ſtrait Line ſide by ſide, marching with their Backs to the Wind, when they are ordered to ſtop ſhort and turn their Sides to the Wind inſtead of their Backs, then from being a-breaſt of one another, they, by obeying this Order, are one Man a-head of another; conſequently the Signal for the Fleet to bring to after ſailing a-breaſt, or the Order for the Soldiers to ſtop and turn their Sides, inſtead of their Backs to the Wind, makes it ceaſe to be a Line a-breaſt, ſince in obeying the Signal or Order, it becomes a Line a-head of one another: But to carry the Compariſon quite through, ſhould not all the Ships or Soldiers, that were ordered to ſtop or turn their Sides to the Wind, be ſailing or marching a-breaſt one of another, but ſome of them endeavouring to get into that Poſition according to the Order, be directed on a ſudden to ſtop and turn their Sides to the Wind, and thoſe to do it firſt, that were neareſt the Wind, is not this Order to be obey'd, tho' contrary to the former Order?——What ſhall we then ſay to the Folly of that

or eight Miles. In this Diſpoſition, little Wind about N. E. with a Swell, the Admiral made the Signal for the Fleet to make Sail; and kept edging down upon the Enemy, the Wings endeavouring their utmoſt by crouding Sail to get into better Order, and keep up with the Center. At half an Hour paſt ſeven, the Admiral made the Signal for the Rear Admiral and his Diviſion to make more Sail. And at eight, he alſo made the ſame Signal for the Vice Admiral and his Diviſion; then he made the Signal for the Fleet to draw into a Line of Battle, one Ship a-breaſt of another. At nine, the Admiral made the Signal for the Fleet to draw into a Line of Battle, one a-ſtern of ano-

Man, who tramples Diſcipline under his Foot, and expects you ſhould execute the former Order, that had ceaſed to be ſo (to all Intents and Purpoſes, as ſoon as the Signal was made for bringing to) in contradiction to the laſt Order——and to be enabled to do this, you was to perceive a gradual Drift of two or three Miles in eleven Hours in a dark Night, where it is poſſible you might not alter the Bearings, tho' your Diſtance might be greatly increaſed; and farther, had your Sight been ſo nicely diſcerning, a commanding Officer of a Diviſion muſt have ſearch'd out all his Ships in the Night to have given them proper Directions, as there is no Signal in the ſailing or fighting Inſtructions for a particular Diviſion to make Sail after lying by——nor for their bringing to after making Sail. After what has been ſaid, is not Mr. *Mathews* very unreaſonable to expect a Performance contrary to the true Meaning of the Signal he made, having expreſs'd one Thing and meant another. And as he did not make a proper Signal on this Service, nor did appoint a proper Signal for the Line of Battle in the Night, (which was neceſſary to have been made on this Occaſion, as a ſure Guide and Direction) his Majeſty's Service ſuffer'd, and his Country's Cauſe was hurt, as his Impatience did not ſuffer him to lay by till the Rear of the Fleet got up with him, according to the Meſſage he ſent by his Lieutenant to Mr. *Leſtock:* Admiral *Vernon* was ſo much Maſter of his Trade, as to appoint a Night Signal for the Fleet to draw into a Line of Battle in the Night, *viz.*

Line of Battle in the Night. Shall be my ſhewing two Lights of an equal Height over my Light in the Main-top, and firing a Gun, and carrying the diſtinguiſhing Lights, when each Ship is to carry her diſtinguiſhing Light, and get into her reſpective Station.

another, with a large Wind, and the Rear Admiral to lead; and in half an Hour after, he made the Signal for the Fleet to draw into a Line of Battle, one Ship a-head of another.

It cannot be foreign to the Purpoſe to endeavour at the Definition of a Line of Battle, its Uſe and Conſtitution, by Way of Explanation to thoſe of our Readers that are unacquainted with the military Diſcipline at Sea.

A LINE OF BATTLE is the Baſis and Foundation of all Diſcipline in Sea Fights, and is univerſally practiſed by all Nations that are Maſters of any Power at Sea; it has had the Teſt of a long Experience, and ſtood before the Stroke of Time, pure, and unalter'd, handed down by our Predeceſſors as the moſt prudential, and beſt-concerted Diſpoſition that can poſſibly be uſed at Sea.

This Order conſiſts in a Fleet of Ships being extended in a ſtrait Line, either a-head or a-breaſt one Ship of another; to keep as cloſe together as the Weather will permit, that at all Times every Ship may be ready to ſuſtain, relieve, and ſuccour one another: Thus the Fleet muſt move to attack, or receive an Enemy, in a firm Body together, as it were united and cemented: A ſtrong Bulwark perfectly formed in this Manner, which makes all its Motions together, not only prevents Diſorder and Confuſion, but it is the wiſeſt Precaution that Thought can ſtart, and a certain Advantage which may be look'd upon as the ſureſt Token of good Succeſs.

All other Stratagems and Devices avail not; the moſt exalted Valour, Superiority of Force, and the moſt intrepid daring Fellows, who fight otherwiſe with more Fire than Order, muſt ſubmit to that Side where

where there is the moſt Diſcipline in the Uniformity and Cloſeneſs of the Line: How impotent, then, muſt the greateſt Fleet be, when ſcattered up and down, equally incapable of ſupporting itſelf, and repulſing its Enemies? Though Courage without Conduct, or Raſhneſs may not always be diſcomfitted; and Fortune, with an Inſolence peculiar to herſelf, is ſometimes pleaſed to exert her Power againſt Prudence, ſhe is, however, foil'd in the long Run, and forced to yield; ſo true it is that the Strength of a Fleet conſiſts not ſo much in the Number of its Ships, and the Bravery of their Crews, as in the Exactneſs in forming a Diſpoſition of Battle in this Order, *and the Experience of him that commands them.*

It is for theſe Reaſons that fighting in a Line of Battle at Sea is continued to be the conſtant Practice of every Nation; a military Maxim by all approved, and not to be diſpenſed with upon any Conſideration, however ſpecious, ſafe, and expeditious a contrary Conduct, to oppoſe and deſtroy the Enemy, may appear in the Execution and Performance. Hence, by the Inſtructions eſtabliſhed by his Majeſty in Council, the Admiral and Commander in Chief is directed to exerciſe the Ships under his Command, and to draw them frequently into Lines of Battle, that, by a long Courſe of Practice and Obedience in this their capital Inſtruction, every Officer may become perfect, and acquire a thorough Knowledge, eſpecially thoſe who have arrived at a Command, without any other Merit, beſides that of their Birth or Intereſt.

Sir *John Norris* and Admiral *Vernon* have been indefatigable in maintaining this naval Exerciſe, this indiſpenſable Leſſon, ſuffering no ſeaſonable Opportunity to eſcape whereby the Raw and Unexperienced might be properly educated.

It is the Duty of an Admiral commanding in Chief, before he proceeds to Sea, to give every Captain, under his Direction, his Order of Battle, which, by ſhewing the Station of each Ship, no Ship can miſtake, together with the ſailing and fighting Inſtructions; both which are ſigned by himſelf, and are, to all Intents and Purpoſes, expreſs Orders, not on any Pretence or Motive to be violated.

Theſe Inſtructions are well concerted; their principal Injunction is to enforce Obedience to the Order of Battle, when the Signal is made by the Admiral, as, next under the Protection of Heaven, the Succeſs of the Fleet depends on it, including Signals as the moſt expeditious, if not the only practicable Method of directing the different Ships to keep, or endeavour their utmoſt to get into their proper Station: among many other Articles which intirely contribute to the Support of this Diſcipline and Order, it is directed, that each Ship in the Line of Battle ſhall keep within half a Cable's Length of one another, which is about fifty Fathom; That if his Majeſty's Fleet ſhould have the Wind of the Enemy, the Van ſhall ſteer with the Van of the Enemy's, and there to engage them; by which means every Ship knows her Adverſary, and from the foremoſt in the Van to the Rear, attack them ſucceſſively: An admirable Article to preſerve the Order and Diſcipline of the Fleet. The Prohibition is expreſſed in the ſtrongeſt Senſe that Words can utter, no Room for Miſapprehenſion, or the leaſt Plea to evade it, that none of the Ships in the Fleet ſhall dare to purſue any ſmall Number of the Enemy's Ships till the main Body is diſabled, or run; and that no Ship ſhall leave her Station upon any Pretence whatſoever. No Temptation, nor Allurement of any ſudden Advantage to deſtroy the Enemy, no Exploit, let it be ever ſo conſiderable, and well-executed, can

ex-

extenuate the Guilt of Diſobedience, and this Breach of Diſcipline. Junior Officers are ſtrictly injoined to adhere to theſe Articles, they are not proper Judges, paſſive Obedience is their Duty; and it is the Admiral alone who holds the Power in his Hand that is the Judge; therefore, without Orders, or Signals made by him to authorize and juſtify a Ship's breaking the Line of Battle, it is a Subverſion of all Command, bad in its Example, and dreadful in its Conſequences.

Had the Fleet, agreeable to any of theſe Signals, been ever formed into a cloſe regular Line of Battle, either a-head or a-breaſt one Ship of another, doubtleſs it would have been an eaſy matter to have varied them into either, according to the Wind, or the Enemy's Diſpoſition; like a Rank of Soldiers, which after having been formed into a ſtrait Line, ſtanding Side by Side, can, at the Word of Command, turn about either a-head or a-breaſt one Man of another, wheeling with great Eaſe and Dexterity, either to the Right or Left; but order theſe Men, to the Number of twenty-eight or thirty, mixed and confuſed together, to go and engage an Enemy ſome Diſtance off, directing them never to ſtop or wait for one another, but in their way thither to form a Rank or ſtrait Line; this is a Thing impracticable, and aiming at an Impoſſibility. In like Manner our Fleet ſet out, and continued their Courſe in Diſorder; and tho' it was leſs Difficult for the Center to form than the other two Diviſions, yet it was far from being formed, and cloſed conformable to Diſcipline, and the fighting Inſtructions; as the Center out-ſailed the Wings, and did not lay by for them, or allow for the little Wind, the Swell, and a ſufficient Time for ſo great a Number of Ships, which were to compoſe the Line of Battle, to get into Order, no Neglect can be imputed to the Wings; they could not provide any Remedy,

and

and they are not at all anſwerable for the Conſequences (*a*).

The *Royal Oak*, which joined the Fleet from *Mahon*, a Ship of ſeventy Guns, with two more of eighty the Day before, were no ſmall Addition to our Strength; and in this critical Conjuncture ſeemed to be a Prediction of our future Succeſs; in ſhort it was very providential, as it were leading Fortune in a String; and what made their Arrival more welcome, and the Satisfaction more general, was the Apprehenſion we laboured under, ſince the combined Fleets had put to Sea, which fear at laſt became extremely anxious and troubleſome, leſt they ſhould fall in with the Enemy, in their Way to *Hieres*; which Diſaſter would have been the difference of ſix Ships to us, and the Enemy would have ſpared Men enough to have fought them againſt us.

(*a*) Mr. *Leſtock*'s Account ſays, that before eight o'Clock Lieutenant *Jaſper*, the Admiral's Lieutenant, came on board, and told him, that the Admiral would lay by until he could get up with his Diviſion to cloſe the Line of Battle with Admiral *Mathews*; but having obſerv'd to Mr. *Jaſper* that the Admiral had rather made more Sail, and went faſter from him, he reply'd, that ſoon after he put off from his Ship (the *Namur*,) ſhe had made more Sail; nevertheleſs he thought it his Duty not to return, before he had delivered to him Mr. *Mathews*'s Meſſage. And ſoon after Lieutenant *Knowler* came on board of Mr. *Leſtock*, with Orders for him to make more Sail, upon which he bid him look aloft, and ſee whether he could make any more Sail: Every Sail which could draw being then ſet. Lieutenant *Knowler* acknowledg'd the Truth of what he ſaid, and added, that the Admiral was very uneaſy that the Rear Admiral and his Diviſion did not make more Sail to get into the Line of Battle; and upon Mr. *Leſtock*'s ſaying to him that according to the Line, the *Real* muſt be his Adverſary, he reply'd, that Admiral *Mathews* had told him ſo; and after giving his Compliments to the Admiral, with Aſſurances that nothing ſhould be left undone that he had Power to do to get along ſide of the *Real* with all poſſible Expedition, Lieutenant *Knowler* return'd on board of the Admiral.

At half an Hour paſt ten, the Admiral made the Signal to engage the Enemy, about the Diſtance of five or ſix Miles, and kept bearing down in the ſame Diſorder, unformed and extended, wide one Ship of another (*b*). The *French* Admiral no ſooner obſerved this Signal, than he hoiſted his Colours, as did alſo all the *French* and *Spaniſh* Ships, and crouded Sail abroad; continuing their Courſe to the Southward with little Wind, and a Swell ſo high, that moſt of our

(*b*) This is the firſt time that ever the Signal to engage was made before the Fleet was form'd in a Diſpoſition of Battle, according to the Signal abroad for the Line.

In the Battle of *Malaga*, Sir *George Rooke* did not make this Signal before he was within Gun-ſhot of the *French* Admiral. In the Battle of *Beachy-Head*, it was not made till juſt before the Action began, long after the Fleet had been drawn into a Line. Tho' we had the Superiority of thirty-ſix Sail of the Line, in the Battle of *La Hogue*, yet that great Officer, Admiral *Ruſſel*, (afterwards Earl of *Orford*) a true Patern of Diſcipline and Knowledge, who always held Order as an indiſpenſable Leſſon and capital Inſtruction to Succeſs and Victory, who had lain long in perfect Order of Battle, ready to receive the Enemy; yet upon obſerving Monſieur *Tourville* had put out his Signal for Battle, he commanded that his ſhould not be ſpread, until the *French* (who had the Weather Gage) were come as near as they thought convenient, which was within three Quarters Muſket-ſhot; and in all the Battles that ever were ſeen, heard, or read of, the ſame Caution and Circumſpection have been obſerv'd, if the Admiral who commanded was an Officer of common Experience and Judgment: But againſt theſe excellent Rules of War and Prudence, Mr. *Mathews* himſelf, a ſufficient Precedent to make them obſolete, made this Signal about three Hours before Action, while the Fleet, ſo far from being form'd in a Line of Battle according to his Signal, was in great Confuſion and Diſorder, bearing down on the Enemy, who were perfectly form'd, ſtretching to the Southward, whereby it ſoon became impracticable for our Fleet to keep the Advantage of the Wind, conſidering the Foulneſs of our Ships, and have room to form in a proper Diſpoſition of Battle, before Action, unleſs we had immediately haled our Wind to gain Time for that Purpoſe, which would have brought the Enemy more a-ſtern of our Fleet. N° I. of the Draughts, as delivered to the Houſe of Commons, gives us the Situation of both Fleets at this time.

our Ships could not bear their Ports up of the lower Deck.

Beyond all Diſpute, this Officer who had diſpoſed of his Ships like an experienced Admiral, and kept them in that Order for Battle, had it at Heart, by this Motion, to deprive us of the Advantage of the Wind, and to ſecure it to himſelf; whereby he might have it in his Power to make a proper Uſe of the Fireſhips, upon which both *French* and *Spaniſh* Squadrons had great Dependance. In attempting this he had the greateſt Proſpect of Succeſs; he had experienced that his Ships in the general ſail'd three Foot to our one, ſo great is the Benefit and Difference between foul and clean Ships; and as we kept advancing on them with a Security ever dangerous, as if we had been going to a certain Victory, he was determined to profit from this Conjuncture, foreſeeing what would happen from our Impatience, and that it would be impoſſible for the Rear of our Fleet to come into the Battle: A well-judged Feint to gain the Wind, and draw us unguarded and inconſiderately on, to engage at ſo great a Diſadvantage.

Notwithſtanding there was rather leſs Wind than more, yet the combined Fleets ſtole away ſurprizingly from us; about two Hours after the Signal for Battle was made, take the following View of the *Britiſh* Fleet.

Admiral *Mathews* on board the *Namur*, with his Diviſion compoſed the Center of the Fleet; the Ships a-head of him were the *Norfolk*, *Princeſſa*, *Somerſet*, *Dragon*, *Bedford*, and cloſe a-head of them were the *Kingſton* and *Berwick* of the Rear Admiral's Diviſion; thoſe Ships a-ſtern of the Admiral, were the *Marl-*

borough, *Dorſetſhire*, *Eſſex*, *Rupert* and *Royal Oak*, in all thirteen Ships, that were all a-breaſt of the *Spaniſh* Squadron, and ſeven of the headmoſt of his Ships, out of twelve that compoſed the Rear of their Fleet; and according to the Line of Battle, ſhould have fallen to the Rear of our Fleet, the Vice Admiral and his Diviſion.

Rear Admiral *Rowley* on board of the *Barfleur*, with his Diviſion compoſed the Van of the Fleet. It is neceſſary to take notice here, that from the Time the Signal was made for Battle, and ſome Time before, to that Time when he engaged, was not leſs than three Hours and a half; and though he went down all the Way quartering, he did not ſooner get within Gunſhot of the *French* Admiral, who in great Order in the Line of Battle kept ſtretching to the Southward: An undoubted Teſtimony of our great Diſtance off, as well as the general Diſorder we were in, ſince the Signal for the Line of Battle, one Ship a-head of another, had been flying from half an Hour paſt nine, and yet this Diviſion was neceſſitated all the Time to keep Sailing before the Wind. The Ships a-head of the Rear Admiral, were the *Boyne*, *Chicheſter*, *Naſſau*, *Warwick*, and *Sterling-Caſtle*, with the *Chatham*, a Ship of fifty Guns not in the Line; the three laſt Ships with the Frigate were greatly extended, and almoſt reached to the foremoſt Ships of the Van of the Enemy's Fleet; in courſe left a Space for a great Number of Ships between them and the *Chicheſter*, while the Rear Admiral himſelf was near being a-breaſt with the *French* Admiral, and the *Princeſs Caroline* a-ſtern of him, with two Frigates of fifty Guns, the *Saliſbury* and *Guernſey* at a good diſtance off.

It appears by the Signal for a Line of Battle abroad, and this View of the Fleet, that the Rear Admiral, whoſe

whoſe ſtraggling Diviſion reach'd all the way from the Van of the Enemies Fleet to the *Poder*, a *Spaniſh* Ship in the Rear; no leſs than the Extention of nineteen Ships, was where the Admiral ſhould have been, a-breaſt of the *French* Admiral, the Center of their Fleet; conſequently the Rear Admiral ſhould have been much farther a-head to have been able to attack the *French Chef d'Eſcadre*, the Chief in their Van; and by the ſame Rule the Vice Admiral ſhould have been a-breaſt of the *Spaniſh* Admiral, the Chief of the Enemy's Rear, where the Commander in Chief and the *Marlborough* were, inſtead of being ſuch a great way a-ſtern, through the Haſte and Expedition which the Center had made from him; and indeed, the little Wind, the Swell, and the great Probability of a Calm made it the more dangerous and improper in the Time of Action, that any of his Majeſty's Ships ſhould have been at that diſtance off.

At one o'Clock the Admiral haled down the red Flag, the Signal to engage, and hoiſted the white Flag at the Foretopmaſt-head, the Signal to give over Chace (*c*); upon which ſome of our Ships in the Van tack'd, concluding from the Weakneſs of their Diſpoſition, and the Strength and Number of the Enemies Ships, that this Order abroad, was meant as a Direction to them; but the Rear Admiral, their Chief, continuing

(*c*) What this Signal could be made for, no body can comprehend: It is certain that there were two Thirds of the combined Fleet had got far enough a-head to be a-breaſt with our Van, and that it was therefore neceſſary to order the Rear Admiral to hale his Wind, to prevent the Enemy from taking and deſtroying his Diviſion; but this Signal did not expreſs any ſuch Caution, for it is a general Signal for the Fleet to give over Chace; beſides the Signal for the Line of Battle was kept up, which obliged the Rear Admiral to endeavour to get into the Line, and to engage againſt ſo great a Superiority! as the Signal for Battle was ſoon hoiſted again inſtead of the white Flag, the general Signal to give over Chace.

continuing to bear down, they alſo thought proper to follow him, as warily as poſſible, and allowing for their Inferiority.

In this Diſpoſition the Admiral made the Signal to engage the Enemy, but kept abroad the Signal for the Line of Battle, one Ship a-head of another, and with the *Marlborough* bore down directly upon the *Real*. The Engagement began with equal Fury on both Sides; the Admiral and the *Marlborough* having attacked with great Briſkneſs, making extraordinary good Fires; and the *Real* with her Seconds defended themſelves with diſtinguiſhed Bravery: The *Norfolk*, the Admiral's Second a-head of him, having alſo bore down, engaged the *Conſtant* the *Spaniſh* Admiral's Second a-head of him. As the three headmoſt Ships of the *Spaniſh* Squadron continued their Sail abroad, and cloſed with the *French*, after receiving and returning two or three general Diſcharges, *en paſſant*; there remained then, only the *Conſtant*, a-head of the *Real*, and the *Poder*, a Ship of ſixty-four Guns that was fir'd at by the *Princeſſa*, *Somerſet*, *Dragon*, *Bedford*, *Kingſton*, with the *Saliſbury* and *Guernſey*, two Frigates of fifty Guns, that kept firing, not within Gun-ſhot, expoſing themſelves to the publick Ridicule; but, indeed, it did not become them to go down nearer than the Ships in the Line of Battle, that kept them in Countenance; being mingled and intermixed in the greateſt Confuſion at a great Diſtance off, incapable of vindicating their own Conduct, or giving any Account of it, much leſs in the Power of a looker on, and far more in Danger of one another's Shot, which were fired away in this wild, fantaſtical Manner than of the Enemy's; nay even the *Somerſet*'s People alledged, that ſhe receiv'd many of the *Kingſton*'s Shot, when the *Berwick* bore down and gave the *Poder* Battle, becoming the *Britiſh* Honour, an Officer, and an *Engliſh Seaman*.

The

The Ships a-ſtern of the Admiral and *Marlborough* were the *Dorſetſhire*, *Eſſex*, *Rupert*, and *Royal Oak*, that kept to windward of their Station, trifling away their Powder and Shot, in a Manner more idle and inexcuſable: Theſe bold, intrepid Defenders of their Country's Cauſe lay at a cautious Diſtance off, where not one of their Shot reached the Enemy, who were too wiſe to venture caſting many away in Return to them: *The* Rupert, *heretofore the vigilant Cruizer, eager and keen to run after every unreſiſting Foe, an inconſiderable and defenceleſs Enemy, the Idol of the Merchants, the Receiver of their Munificence, and the Guardian Angel over their Properties, whoſe Praiſes had been wantonly blazoned in every News-Paper, now out of Reach, and all poſſibility of Danger, poured out her vain, fruitleſs Fires, and bore Teſtimony of all her former Puffs, Boaſts, and Bragadocioes: Such, O* Britons! *are the diſmal Effects of intruſting your beſt Garriſons under the Proweſs of thoſe, who, like fearful Women, lie diſtant in a perfect State of Security, waiting with Anxiety for the Event of Battle.*

At two o'Clock, the Rear Admiral got along ſide of Monſieur *de Court*, where one of the *French* Squadron having fired at him, the Engagement began between the two Admirals; then the *Princeſs Caroline* bore down and ſeconded her Admiral: But the *Boyne* and *Chicheſter*, agreeable to the Humour which prevailed in the *Britiſh* Fleet, kept to Windward, and plunged their Shot into the Sea. The *Naſſau*, *Warwick*, and *Sterling-Caſtle*, the three extended Ships in the Van, kept alſo out of the Reach of the *French*, and if they were reſolved not to go within Gun-ſhot of them, at leaſt they were more ſaving than the others, and did not throw away the King's Stores, (contrary to the famed *Douglas*, who, according to *Burchett*'s Naval Hiſtory, died a Martyr to Diſcipline,

' leav-

'leaving an Example behind him worthy of the great 'Name, in chuſing rather to be conſumed with his 'Ship in the Flames, which was become paſt Re-'demption, than deſert her, when he had no Orders 'to do it.') They judiciouſly ſaw their Chief in the Heat of Battle, yet kept to Windward from it, believing it to be the only Means left them to ſave themſelves, and prevent the *French* Squadron from tacking and ſwallowing up the Van. Undoubtedly the dreadful Conſequences which would have otherwiſe happened from keeping in the Line of Battle, and engaging the Enemy according to theſe Signals abroad, which are Orders that admit of no Heſitation, make this a noble Exploit, even in Oppoſition to the Faculty of Obedience, the Baſis of the military Trade, and in preferring the Safety of his Majeſty's Ships to that of their own Commiſſions. Tho' a keen Diſciplinarian complained grievouſly at firſt of this Conduct, yet he ſoon changed his Opinion, and turn'd from the moſt violent Reſentment to Sentiments of the ſtrongeſt Approbation; highly applauding this Diſobedience as the moſt ſkilful Stratagem to fruſtrate the Deſigns of the Enemy, in ſaving the Van from unavoidable Deſtruction.

The *Marlborough* kept pouring in her Fires very faſt on the *Spaniſh* Admiral, who, with the Second a-ſtern of him, maintained the Fight with extraordinary Fierceneſs and Obſtinacy. The *Marlborough*, armed with the Reſolution of the amiable Gentleman that commanded her, in full Purſuit of Glory, forced herſelf a-head between the *Namur* and the *Real*, determined to ſave the Admiral altogether from this Prodigy of inceſſant Fire; dauntleſs in the midſt of Danger, inflamed with Eagerneſs to give and receive all the Fire; an uncommon Example, truly noble and meritorious: what Pity it is, that ſuch matchleſs Heroiſm ſhould fall a Victim?

The

The Admiral ſoon clapt up a Wind, *No doubt to give the neceſſary Orders ſuitable to the preſent Exigencies, and the Diſpoſition of both Fleets, as well as having been about half an Hour in the Heat of an Action, where eight of his Men were killed out-right; ſome of which were by the blowing up of a Cheſt of Muſket Cartridges upon the Poop.* (*d*)

Between two or three o'Clock the *Marlborough*'s Main and Mizen-Maſts were ſhot away by the *Real*, and her Second a-ſtern of her; which laſt Ship lay on the *Marlborough*'s Quarter, and clear'd her Decks, having no other Adverſary to take her up; nevertheleſs the *Marlborough*, with great Firmneſs, after clearing the Maſts and Rigging away, continued to make good Fires on the Enemy, unprotected, unaſſiſted, and deſtitute alone for near two Hours, not one Ship out of thoſe that were her Neighbours in the time of Battle coming near enough to take a ſmall Share. Let

(*d*) To prove this Fact, we need only mention what Mr. *Mathews*'s Account, publiſh'd by Authority, ſays on this Occaſion: "The *Marlborough* driving a little too near the Admiral, oblig'd "him to fill his Sails, to prevent her coming on board of him; "that the little Time the Admiral was engaged, they greatly "diſabled his Maſts and Rigging; and that having but little Wind, "and an ugly Swell, his Mizen Topſail handed, to prevent the "Maſt and Rigging from tumbling about their Ears, hinder'd their "working the Ship, tho' he reev'd new Braces three ſeveral Times, "ſo that he could not give the *Marlborough* the Aſſiſtance Captain *Cornwall* wanted, whoſe Behaviour is mention'd by Mr. "*Mathews* to merit all imaginable Praiſe, and whoſe unfortunate "Fate he greatly laments."

It is the Glory of our Annals, that an *Engliſh* Admiral was never taken; and we have not an Inſtance in Hiſtory, of an Admiral bearing down contrary to his own Signal for a Line of Battle, on an Enemy perfectly well form'd, that were endeavouring to gain ſo great an Advantage as that of the Weather-Gage, neither does our Hiſtory furniſh us with one Inſtance that ever a *Britiſh* Admiral left the Battle, who was not defeated and overpowered, and did not do it merely to ſave the ſhatter'd Remains of his Fleet.

us examine whoſe Power it was in? The Anſwer is eaſy, in the Center, beyond all Contradiction. In what manner were thoſe Ships employed? the Reader muſt take a view of them. The *Namur* had been in Battle, beſides ſhe was the commanding Ship; the *Norfolk* a-head of her in the Line of Battle, now lay idle, having engaged the *Conſtant*, the *Spaniſh* Admiral's Second a-head of him, very ſmartly for about three Quarters of an Hour, and beat her out of the Enemy's Line; and though the *Real* and her Second a-ſtern, had warm Exerciſe againſt the *Marlborough*, yet they found ſome ſpare Guns to fire at her, in order to call her back, but ſhe never more returned to Battle: The *Dragon* took a ſmall run after her, but the Captain reflecting on the Conſequences of breaking the Line, and giving Chace without Orders, was exceedingly glad to return to his Station; and ſhe, with the *Bedford*, *Kingſton*, *Guernſey* and *Salisbury*, kept barking at the *Poder*, while the *Berwick* was engaging her like a *Britiſh* Man of War.--The *Princeſſa* had fir'd two or three Broadſides at the *Spaniſh* Ships when they paſſed on to the Southward with the *French*, and likewiſe at the *Poder*, but now lay on the other Tack, with her Fore-top-gallant Maſt gone, and Main-top Sail ſplit. The *Somerſet*, as the *Princeſſa* lay, inſtead of being the next Ship to the *Norfolk*, conformable to the Line of Battle, as that Signal was ſtill kept abroad, had now, *by a wonderful Regard to Diſcipline, and an uncommon Dexterity, fought herſelf; how, or in what Manner is paſt Comprehenſion, into the Neighbourhood of the Rear Admiral, who, wanting Aſſiſtance very much, ſometime afterwards pelted ſome Shot at her to come down to his Succour:* But the *Dorſetſhire*, *Eſſex*, *Rupert* and *Royal Oak*, tho' they were Ships juſt ready at Hand, yet they kept to Windward, and beheld the *Marlborough*'s Diſtreſs with Unconcern, and perfect Tranquility,

quility, perſevering in flinging away their Shot, not within Reach of the Enemy.

Good God! what Subterfuges or Evaſions can the Fertility of their Brains furniſh them with, to extenuate or gloſs over this pretty toying away their Time until Night came, which denotes a Puerility of Mind, and a Weakneſs unpardonable.

Heaven! is it poſſible, that five Sail of *Spaniſh* Ships that have never been uſed to conquer, ſhould out-brave, and withſtand the Power of thirteen *Britiſh*, beſides two fifty Gun Ships? For four Ships of the Enemy were not yet got, and three were gone with the *French*, which were ſeven out of the twelve! *(e)*

The

(e) Admiral *Mathews*'s Account, publiſhed by Authority, ſays, That Monſieur *de Court* left moſt of the *Spaniſh* Ships a-ſtern of him, which admits, that ſome of the headmoſt of the *Spaniſh* Squadron clos'd with the *French* to the ſouthward: This Account alſo mentions, that the *Norfolk* engag'd Don *Navarro*'s Second a-head, and that the *Somerſet*, *Princeſſa*, *Dragon*, *Bedford*, *Kingſton* and *Berwick*, omitting the *Guernſey* and *Salisbury*, engag'd the *Spaniards* a-head; conſequently, as the *Spaniſh* Admiral had ſix of his Ships a-ſtern, and five a-head of him, three of which having gone with the *French*, even from this Account, it appears there were only two of the Enemy that the Ships above-mentioned engaged, being the *Conſtant* that ſoon bore away from the *Norfolk*, and the *Poder* that ſtruck, and was afterwards retaken by the *French*. The *Berwick*, the next Ship in the Line of Battle to the *Princeſs Caroline*, is ſaid to engage the *Poder* by Mr. *Mathews*'s Account: Is it not evident then that all the Ships between her and the *Norfolk*, no leſs than eight, including the two fifty Gun Ships, were thus employ'd, that the *Norfolk* lay idle after ſhe beat away the *Conſtant*, is certain, and that the *Marlborough* was left in Diſtreſs by the *Namur*, againſt the *Real* and her Second aſtern:—— And had the *Dorſetſhire*, *Eſſex*, *Rupert* and *Royal Oak* bore equally down with the *Marlborough* at the Beginning of the Action, the *Real* muſt have fallen into her Hands, as the *Spaniſh* Admiral's Second (the Ship that diſtreſs'd the *Marlborough*, and clear'd her Decks) would have been then overpower'd or match'd; and the ſternmoſt Ships that were laid to the Vice-Admiral's Charge, though they never

The Signal for the Line of Battle was flying, and we were better Diſciplinarians in the Center, than the foremoſt Ships in the Van, that prudently forbore coming into the Line, and engaging according to the Signals abroad, from the clear Foreſight they conceived, that the *French* in that Caſe would have been ſoon

never got near enough to fire at the *Marlborough*; by this Means wou'd have been ſtopt from getting a-head for our Rear, the Vice Admiral's Diviſion.——Falſhood and Malice have aſpers'd without Controul; but we now call on Mr. *Mathews*, and his Adherents, or the Advocates for the *Dorſetſhire*, *Eſſex*, *Rupert* and *Royal Oak* to prove otherwiſe, than that the *Marlborough* was ſacrificed; and the Cauſe that the *Real*, and her Second a-ſtern did not fall into our Hands, was for want of that Aſſiſtance which was ſo near at Hand, and not any Ways owing to the Conduct of the Vice Admiral.

N°. 2 and 3. Draughts deliver'd to the Houſe of Commons, the Reader will more eaſily perceive and underſtand, that Admiral *Mathews*, by bearing away to attack the *Real*, when the N° 2. Vice Admiral was a great Way a-ſtern of him, occaſioned all the Ships, from the *Princeſs Caroline* in the Line of Battle, to the *Dunkirk* and *Cambridge* in the Vice Admiral's Diviſion to fire at the *Spaniards*, *viz.* the *Saliſbury*, *Guernſey*, *Kingſton*, *Berwick*, *Bedford*, *Dragon*, *Somerſet*, *Princeſſa*, *Norfolk*, *Namur*, *Marlborough*, *Dorſetſhire*, *Eſſex*, *Rupert*, *Royal Oak*; the headmoſt Ship of the Enemy that was fir'd at by theſe Ships, was the *Poder* for any Time, the eighth Ship from the ſternmoſt in the Enemies Rear (being the *Spaniſh* Squadron:) And as the four ſternmoſt Ships of the Enemy are laid to the Vice N° 3. Admiral's Charge by Mr. *Mathews*, which four did not get a-head before the Signal to give over Chace was made, and the Fireſhip blew up, it appears there cou'd be only five of the Enemy to cope with fifteen of our Ships, from half an Hour paſt one to five, no leſs then three Hours and a half; out of which five, it will be allowed, that the *Real*'s Seconds did not ſtand it long, and that the *Poder* being diſmaſted, ſtruck; neither can it be denied, that the Situations of theſe Ships againſt ſo few, were ſuch, that from the Beginning to the End of the Action they might have been order'd and directed to attack the *Spaniſh* Squadron in what Manner Mr. *Mathews* thought proper, or ſhifted and diſpoſed of according to the Condition of the Enemy, the Occurrences that happened, proceeding from the different Circumſtances and Diſpoſition of both Fleets, more particularly when the *Marlborough* was ſo hard preſs'd upon, which Ship was left to feel the Conteſt of the Day.

ſoon enabled to have doubled upon them, and deſtroyed all the Ships in the Rear Admiral's Diviſion. But here in the Center theſe Caſuiſts would ſooner ſuffer the *Marlborough* to be ſacrificed than fall to Leeward of the Line: Admirable Policy. How came it at this Time to ſubſiſt? becauſe their Chief in the Center was cloſe haled upon a Wind, from whence they were directed to take their Diſpoſition of Battle; but let theſe cool, conſiderate Men anſwer the Nation why they did not obſerve the ſame Order when he was in the Heat of Action: Sure, there is not one among them, adventurous enough, in Oppoſition to Demonſtration, and the Conviction of the whole Fleet, to advance that they were not to Windward of him all that Time (*f*).

Boats

(*f*) The Articles of the fighting Inſtructions that ſeem to be violated by the *Marlborough*'s not being ſupported, are:

INSTRUCTION I.

When the Admiral would have the Fleet draw into a Line of Battle, one Ship a-head of another (according to the Method given to each Captain) he will hoiſt an Union Flag at the Mizen-peck, and fire a Gun; and every Flag Ship in the Fleet is to make the ſame Signal, and every Ship is to obſerve and keep the ſame Diſtance, thoſe Ships which are next the Admiral always taking it from the Center.

INSTRUCT. XIII.

As ſoon as the Admiral ſhall hoiſt a red Flag on the Flagſtaff at the Foretopmaſt Head, and fire a Gun, every Ship in the Fleet is to uſe their utmoſt Endeavour to engage the Enemy, in the Order the Admiral has preſcribed, and ſtrictly to take Care not before the Signal be given by the Admiral.

INSTRUCT. XX.

Every Commander is to take Care that his Guns are not fired till he is ſure he can reach the Enemy upon a Point Blank; and by no Means to ſuffer his Guns to be fired over any of our Ships.

INSTRUCT. XXII.

If any of the Ships in the Fleet are in Diſtreſs, and make the Signal, which is a Weſt with the Jack or Enſign, the next Ship to them is ſtrictly to relieve them.

What could be greater Signals of the *Marlborough*'s Diſtreſs than loſing her Maſts?

Boats were perceived to go on board of the *Dorſetſhire*, *Eſſex* and *Ann Galley* Fireſhip from the Admiral, with ſuch Orders, it is to be ſuppoſed as the general Inſtruction Book has not provided any Signals for; an infinite Loſs, as it is the perfect Soul of Battle, to be able, in every Situation, with the Caſt of an Eye to correct and reform abuſes in it; to puſh on the Backward, the Timid and Slow, or to recal the Raſh and Inconſiderate, who often, by the Heat of a falſe Courage, are inſenſibly carried on to Confuſion, are Points of the greateſt Importance towards the conducting of a Fleet, and cannot be ſo ſuddenly inſtructed and executed, as by the Uſe of Signals, which, in many Caſes, might be brought to animate, forbid, threaten and reproach (*g*).

Nothing

(*g*) It has been pretended that Fire and Smoak obſtructed the Admiral's Sight; Had he continued longer in it, he would have been ſtill able to judge of what was doing, as he was to Windward: And it will be allowed, that Smoak always goes to Leeward.—Nothing is more certain, than that he left the *Marlborough* long before ſhe loſt her Maſts. He was then in a Situation to diſtinguiſh what was doing from the Van to the Rear of the Fleet- He had done with fighting his own Ship, where his Perſon was not wounded, in which all the Plan of Operation was center'd (as the Vice Admiral was not truſted with any Part of it) therefore he cou'd ſee and judge how to make proper Signals for the Deſtruction of the Enemy: and it is well known that he ſent Boats on board of the *Dorſetſhire*, the *Eſſex* and *Ann Galley* Fireſhip, that this Truth cannot be diſputed.—Nay, we have Authority to ſay, that Lieutenant *Bentley*, now a Captain, carried a Meſſage on board of the *Dorſetſhire*, and, at the ſame Time, called on board of the *Eſſex*. This he declared to the Vice Admiral when he came from Mr. *Mathews* on the third Day to call him off Chace. After ſo glaring a Truth in Defence of Malice, can it be ſaid with the leaſt Shew of Reaſon, that as the *Dorſetſhire*, *Eſſex*, *Rupert* and *Royal Oak* were far enough a-head from the Beginning of the Action to attack the *Spaniſh* Admiral, and the Ships a-ſtern of him, Mr. *Mathews* had it not in his Power to correct and reform any Abuſes from their ſcandalouſly trifling and throwing away their Shot, or order'd them to a cloſe Engagement with the Enemy—— He was at Leiſure, his Stern lay to the *Marlborough*, and it was impoſſible

Nothing is ſtable and permanent in this World: The *Marlborough*, that had ſignalized herſelf from the Beginning, ſoon after ſhe loſt her Maſts, had gathered Breath, and alone ſtood the Shock of all the Battle, could not perſevere thus for ever; She now began to ſlacken, her Fires were neither ſo fierce, nor ſo frequent; on the oppoſite Side, the *Real* became quite ſilent, ſickened and weary, her Rigging greatly ſhattered, and torn to Pieces, Topſail Yards ſhot down to their Slings, Main-yard down upon the Gunnel, and by her Main-topſail hanging right up and down, her Main-ſtay muſt have been gone.

In this deſperate Condition ſhe had lain ſome Time, muzzled, without being able to command her any Way, with her Stern to our Line of Battle.

At half an Hour paſt four, the *Ann Galley* Fireſhip made all the Sail ſhe could croud, and ſteer'd directly for the *Real*, that lay thus defenceleſs and diſabled. Here Imagination ſtartles at the Boldneſs of this Enterprize, and is ſeized and tranſported at the Manner in which it was to be accompliſh'd: The immediate Diſſolution of 1350 Souls, though Enemies, by this ſudden Incendiary, make a rational Creature feel a generous Pity, and turn from the moſt violent Fury to Sentiments of Compaſſion.

But theſe extraordinary Commiſſions of Deſtruction are not ſo eaſily executed; the Fireſhip was neither covered nor conducted; a Deſign of that dangerous Kind

impoſſible for him not to ſee how the Ships a-head and a-ſtern of him in the Line of Battle were employed: He alone who held the Power in his Hands, was in this Particular the ſole Judge, the only Perſon who could authorize and indemnify; and what are we to think, when we find that the Conduct of theſe four Ships is Part of Admiral *Mathews*'s Charge againſt the Vice Admiral?

Kind cannot be too well guarded with every neceſſary Precaution, elſe it is in vain to expect Succeſs. Two or three Ships a-ſtern of the *Real*, that were come up nearer, and were crouding on this dreadful Occaſion with a ſmall Air of Wind, kept firing at the *Ann Galley*, though at a Diſtance, where none of their Shot could reach her; ſhe paſt daringly on until about five, when ſhe came within Piſtol-ſhot of the *Real*, and then blew up without doing Execution. Though the *Real*'s Diſtreſs was ſuch that ſhe could not bring many Guns to bear on her, yet ſhe kept an inceſſant Volley of ſmall Arms firing at her, which induced the Captain to order the Lieutenant, Mate, Gunner, with two Hands more to leave the Deck, while he ſtood it with a Match in his Hand; and the Boatſwain, with the Remainder of the Crew, in all eleven Men, were in the Yaul along Side (the Barge having not yet returned from carrying the Reſt of the Complement on board ſome of the Ships) ready to receive the Captain, and the others, who ſteer'd the Ship below, the Moment their important Errand was finiſhed.

The *Spaniſh* Admiral, after a noble Defence, and giving the moſt ſignal Proofs of an invincible Bravery, ſuperior to all Dangers, now unſhaken and immoveable, in the Conſternation his Ship muſt be in, from the Expectation of being ſwallowed every Moment in the Flames, neglected no Expedient in the Power of Man, to overcome the impending Ruin. It was all he could do to bring ſix or ſeven Guns of his lower Tier to bear, and aimed them, when ſhe was within Piſtol-ſhot, ſo ſure, that every one of them took Place, beſides two Guns that were fired afterwards; ſo that, by this Account, in which the Men that were ſaved, all agree, ſhe muſt have ſunk before ſhe could have burnt the *Real*, had ſhe not blown up. This is not all, a Launch full of Men was ſent to take her, which

which otherwiſe muſt have happened; conſequently, if ſhe could have been kept above Water, the Enemy would have made her fire the *Marlborough*. In that imminent Danger, where the *Real* kept pouring in ſmall Shot, firing theſe great Guns, and the Launch almoſt on board of the Fireſhip, the Captain unaided, his Officers all drunk, without any other Reliance than on his impotent ſelf, and the Support of his own perſonal Courage, kept firing Blunderbuſſes at the Launch, and, at laſt, was reduced to the fatal Neceſſity of venturing to fire the Guns in the Waſte; by which Means, with the many Matches unwarily placed, Hatches unlaid, Skuttles open, Funnels uncapt, running down unprepared, and primed with a great deal of looſe Powder, plunged in inextricable Diſtreſs and Deſpair, no room for the leaſt Glimpſe of Hope; every Ship (excepting the *Marlborough*) and every Friend far off, the ſetting the Fireſhip ſo ſoon on Fire is accounted for.

The People that were in the Yaul, affirm, that ſhe did not receive any Hurt from the other Ships that fired at her, for they ſaw every Shot fall ſhort of them; that ſhe ſeemed to ſink down by the Head, and blow up by the Stern, with the Captain, Lieutenant, Mate, Gunner, and two Quarter-Maſters; one of the laſt was taken up alive, and lived a ſhocking Spectacle about a Fortnight: There was only a Boy killed in the Boat by the Exploſion; after which the Launch endeavoured to take the Yaul, but their own Barge returning very opportunely, took her in Tow, and delivered her from that Danger.

Had any Ship gone down with the *Ann Galley*, conſidering the helpleſs Situation of the *Real*, ſhe could have run no manner of Riſque, but have been more than a Match, by raking her fore and aft, while the *Real* could not bring any great Number of Guns

to bear, and in that Caſe the Fireſhip would have been protected until ſhe had burnt the *Real*, and the Captain's Retreat with his People would have been ſecured; and really without ſuch effectual Meaſures agreeable to Practice, and the Conception of this Duty in all its Conſequences, Attempts of this dangerous Kind are not feaſible, but deſperate, *building Caſtles in the Air*, and defeated with leſs Difficulty than can be imagined. The deceaſed Captain *Mackay*, who fell thus a Sacrifice, was generally beloved; he arrived to this ill-fated Command, by a long Courſe of Obedience, Diligence, and a thorough Knowledge of his Duty, which was his whole Study, the Inſtruction and Example he gave to others; yet it has been aſſerted, that at this Time he was extremely backward and ſlow in priming his Ship, which ſhould have been done before, in Readineſs at the firſt Moment's Warning; and had he gone ſooner down, the Enterprize could not have fail'd. Inhuman, to endeavour to blaſt the Memory of a Man who has ſo bravely loſt his Life in his Majeſty's Service; one who gave ſuch Proofs, that he neither feared the Enemy nor Death; and that in the Inſtance of keeping the Deck himſelf, while he ordered every Body elſe below, puts it beyond all Doubt, there was no Labour nor Danger in War, that he would not have expoſed himſelf to, in Duty to his King and Country.

Inconſiderate Men! he had no Orders to prime; conſequently could not be ready at the time he was order'd down; for thoſe who are Judges will readily allow, that a Fireſhip cannot be primed in leſs time than an Hour and a Half; and to be directed upon Service before he had Authority to get ready for it, is enough to confound a Man: Hurry to diſpatch, Fear of diſpleaſing, Concern to feel what he never had felt in all his Service, Reproofs and Menaces, Eagerneſs and Precipitation to execute, all help, on

ſuch

ſuch an Occaſion, to excite a Guſt of Paſſions, with which the Conflict muſt be violent, and the Succeſs uncertain. He, poor Man, was forced to go down priming all the way thither, and it is evident he had not the leaſt Aſſiſtance; for ſo ſevere was his Neceſſity, that he was obliged to ſend his own Boat away with his People, which did not return before the unhappy Blaſt (*b*). To

(*b*) As a Proof the Fireſhip had no Orders to prime before ſhe was wanted, we will quote Mr. *Mathews*'s Account, publiſhed by Authority, which ſays, "That after the *Spaniſh* Admiral was "totally diſabled, and his Second had bore away, he made the "Signal for the *Ann Galley* Fireſhip to burn the *Real*; but that "her Commander was ſo tedious in priming her, and coming "down, that the four Ships a-ſtern got ſo near to her to pre-"vent her Succeſs; when by ſome of their Shot, or ſome unlucky "Accident ſhe blew up, (being then within Piſtol-Shot of the "*Real*) with her Captain and ſeveral of her Men; and alſo the "*Spaniſh* Admiral's great Launch full of Men, which had been "ſent to prevent the Fireſhip from boarding him; that the Ad-"miral was at the ſame time within Muſket-ſhot of the *Real*"—— Had Admiral *Mathews* been within Muſket-ſhot of the *Real* when the Fireſhip miſcarried, he would have ſeen that the *Spaniſh* Launch did not blow up with her, but that ſhe endeavoured to take the Yaul, and was prevented by the Barge returning. The Diſtreſs of the Fireſhip was ſuch, that when ſhe went under the *Dorſetſhire*'s Stern, the Captain hail'd her, deſiring the Aſſiſtance of a Boat, and ſaid he was going down to be ſacrificed, as no Ships were ordered to cover him. At this time there was neither Fire nor Smoke on either Side; indeed the *Namur* a little before had fired a Shot at the Fireſhip to hurry her down; and it ſeems very extraordinary, that the *Dorſetſhire*, *Eſſex*, *Rupert*, and *Royal Oak*, ſhould be ſuffer'd to keep to Windward to look on, where the Danger and Neceſſity of their Country's Cauſe called them: but what is ſtill more aſtoniſhing, is, after ſuch Neglect and notorious Miſconduct, that the Fireſhip's Miſcarriage ſhould be another Part of Mr. *Mathews*'s Charge againſt Mr. *Leſtock*. It appears that Mr. *Mathews* did not give Orders for the Fireſhip to prime before the Fight, according to Practice, and the Nature of this Service, otherwiſe he would not have cenſured the deceaſed, by complaining of his Tedioufneſs in priming and coming down, but puniſh'd his Diſobedience, ſince ſuch Attemps entirely depend on Readineſs and ſudden Execution; for though a Ship may be ſo diſabled as to give a fair Opportunity for burning her, yet if the Fireſhip

To deſtroy Calumny, or expoſe the empty Speeches of Vanity or Ambition, who catch at the leaſt Pretence to blacken others in their own Vindication, is due to Merit under Perſecution, and the more, that this Merit has bid us an eternal Adieu; and it is to be hoped that a Juſtice of this Kind will not be thought any Interruption to our Relation. It often happens, that Men, when they commit Faults in an exalted Station, when they ſuffer themſelves, by their Negligence, to be ſurprized by an Enemy, or their Meaſures are fruſtrated or diſconcerted, the Credit, Cabals of their Friends, their Swarms of Creatures cover all; the

is not primed ready to catch the Occaſion, when it offers, the time ſhe will take to prime, may very probably put the Enemy in ſuch a Condition as to defeat the Enterprize; for which Reaſon, we find the Vice Admiral, not only ordered the Captain of the *Mercury* Fireſhip to prime, in the Morning before the Action, but to ſend the People on board of him, above what were neceſſary for burning the Ship; and likewiſe directed the Captain to keep a good look out, and to depend on all proper Aſſiſtance, particularly that of an Officer and Boats to attend him, when burning the Ship was thought to be neceſſary and practicable. In like manner Admiral *Vernon*'s Orders to the Fireſhips under his Command in the *Weſt-Indies*, were provident, and circumſpect; he thought ſuch Orders neceſſary, which are ſufficient to recommend them to the World, and as ſuch we cannot omit inſerting them in this Note.

NEW INSTRUCTIONS.

Whereas by my General Inſtructions, added to your Fighting Inſtructions already deliver'd you, Directions are there given for the Conduct of ſuch Ships as may be ordered out of the Line to govern themſelves by; you are hereby required and directed to pay a due Regard to them as particular Inſtructions to you, who are originally left out of the Line of Battle.

And as one of the principal Services for which Fireſhips are deſign'd, is to board and fire any of the Enemy's Ships, upon their being diſabled ſo in their Rigging, as to give a fair Opportunity for performing ſuch Service, or relieving any of our own Ships that may be overborn by a ſuperior Force of the Enemy's, by attempting to burn ſuch Ship of the Enemy's as preſs hardeſt upon them; you are hereby required and directed, upon the Squadron com-

the Loſſes they occaſion are conniv'd at and diſguiſed, or thrown upon ſubaltern Officers: The Truth never pierces the Cloud, form'd by the Authority of the Great, and the Flattery of their Slaves.

This was a narrow Eſcape, an happy Deliverance to the *Real*; her Boats were ſeen to take Men up all round her, whoſe Hearts and Reſolutions having fail-ed them, in the moſt terrrible Apprehenſions that Men can labour under; had jumpt into the Water for fear of the Fire. The

coming to engage with any Squadron of the Enemy's Ships, to prepare your Ship for Service, to be ready for executing any ſuch Services as Occaſion may offer it.

And you are to take care to poſt yourſelves according to the Situation of the Enemy, on the contrary ſide, either to Windward or to Leeward of me, to be as near at hand as you can, for obſerv-ing any Signals I may be able to make to you, which when I would have you to execute any of the Services aforeſaid, will be by mak-ing your Signal, and hoiſting at the ſame time a Flag ſtriped yel-low and white at my Mizen Topmaſt-head; but as I am appre-henſive, that it can't well be expected you ſhould be able to diſ-cern ſuch Signals, through the Cloud of Smoak we may then be in, I principally rely upon your Prudence and Reſolution, in ob-ſerving where ſuch Services lie open for your Execution, or re-quire Relief; in all which Caſes, you are hereby required and di-rected to govern yourſelf in the Execution of them as becomes an Officer of Prudence and Reſolution, and as you muſt expect to an-ſwer for your Neglect therein, at your Peril.

And on your ſeeing any Occaſion for your Undertaking any ſuch Service, you are to make the Signal for the Brig Tender coming near you, to ſend your ſpare Hands on board, which ſhall be by hoiſting a Jack at your Main-Topmaſt-head, who has my Orders in ſuch Caſe to come to you to receive your ſpare Hands, and to keep near you, and your Boat, after performing any ſuch Ser-vices: As has likewiſe the *Pompey* and *Goodly* Bomb Tenders, in caſe there ſhould be Opportunity for more than one Fireſhip to go on any ſuch Services.

And for the Encouragement of your Officers and Men, valiantly and honourably to acquit themſelves in their ſeveral Stations, you may aſſure them, that beſides the Rewards aſſigned to them by the General Inſtructions, they ſhall have ſuch future Rewards and Marks of Favour from me, as ſhall appear to me to be due to the Merits of their Services; for which this ſhall be your Warrant. Given under my Hand, on board his Majeſty's Ship the

The Rear Admiral, and his Second, the *Princeſs Caroline*, had been engaged very warmly above an Hour; that nothing might be left undone, no Skill nor Dexterity unexecuted for the Deſtruction of the Enemy, the *Barfleur* very politically cut away her Lee-Anchors. The *Boyne* and *Chicheſter* neither hurt the Enemy nor received any themſelves; the other Ships in the Van, as has been obſerved, ſeeing into Conſequences, prudently kept their Wind (*i*).

The *French* Admiral, whoſe Ships only a few of them fired, being unwilling, in theſe Circumſtances, to expend Ammunition unneceſſarily, deſcrying Don *Navarro* to be in imminent Danger; the Center and Rear of our Fleet at the Diſtance he was off, appeared to be pretty well cloſed together; he could only tell ſeven of our Ships in the Van, where he had himſelf nineteen, including the three *Spaniſh* Ships, but could not make a proper Uſe of them, as we kept to Windward. The remaining twenty-one of our Fleet of the Line, with the fifty Gun Ships, he apprehended were perfecting the Deſtruction of the *Spaniſh* Squadron; heretofore the *Engliſh* were not accuſtomed to trifle away their Time in making ineffectual diſtant Fires;

(*i*) Mr. *Mathews*'s Account publiſh'd by Authority, ſays, "That there were but three of the *French* Ships engaged, the "reſt kept their Wind in order to tack and weather us; but that "our Van keeping the Wind of them, prevented their Deſign's "taking place"——As it is notorious that Admiral *Mathews* did not direct the three foremoſt Ships to keep their Wind, but, on the contrary, he kept the Signals abroad for the Line of Battle, and engaging the Enemy, the Van then of our Fleet was ſaved by theſe Ships Diſobedience, which proves that the Rear Admiral had only ſeven Ships againſt nineteen, more than two Thirds of the combin'd Squadrons, yet he was not directed to keep his Wind, as might be expected, conſidering his Weakneſs; and if Mr. *Mathews*, with thirteen Ships of the Line, and two fifty-gun Ships under his Direction, was not a Match for five, ſurely Mr. *Rowley*, with ſeven, could not be ſuppoſed to be a Match for nineteen; there could not be ſo great a Difference in the conſummate Knowledge and Bravery of theſe two Commanders.

Fires; a terrible Fire and Smoke, a continual roaring of Cannon, with all the Indications of a direful Defeat, preſented themſelves to his Mind; he therefore made ſail, and tack'd with his whole Fleet in the fineſt Diſpoſition and Order, doubling upon our Rear Admiral, who, with the greateſt Precipitation, got upon the other Tack, making Signals for his Diviſion to follow him; ſome of which tack'd, others wore, juſt as the little Wind and the Swell, ſtill predominant, would let them.

In this State, the *French* Squadron had it in their Power, by their great Superiority to overthrow our Van; but they ranged within Piſtol Shot of four or five of them, where they could have raked them fore and aft, and did not fire one Shot. The Redemption of their Rear, in the deſperate Situation they ſeem'd to be then in, was the important Cauſe in View, and any Interruption to that, let the Bait be ever ſo alluring, was not to be regarded, or put in Competition with it: To ſubdue our Van, while their Rear was vanquiſhed, could be no Incitement to an eminent Officer, truly ſenſible of the thorough Diſtreſs of his Maſter's Friends and Allies combined in one Fleet together; whereas the reſcuing them would not only acquire him Glory, but, by attacking us in the Diſorder we were in, would likewiſe give him great Advantages over us. In ſhort, the Certainty of diſengaging the *Spaniſh* Admiral, with the proſpect of ſtriking a general pannick, confounding, diſmaying, or increaſing our Confuſion, in the perplexed Manner our Van and Center would be mixed, were Preſages of a Victory, and Points of more Moment than to be outweighed by the other Conſideration. In this Confuſion, where there was neither Diſcipline nor Command, the Fire-ſhip's Miſcarriage, our Van running to join our Center on the oppoſite Tack to the Line of Battle; the *French* doubling upon them, and coming in great Order;

der; the Rear of our Fleet not yet closed with the Center; the *Dunkirk* and *Cambridge* a-head of the Vice Admiral, following the Example of their Neighbours a-head of them in throwing away their Shot; the Vice Admiral having tried to reach the sternmost Ship of the Enemy, and fired a Broadside at her, but could not stop her from going a-head, being before his Beam, Topgallants lower'd, only under her Main and Foretopsails, with her Mizen-Topsail a-back; notwithstanding which she drew a-head of him, though he had all his Sail set, and there was so little Wind, with so high a Southern Swell, that it was all he could do to keep the Ports open to fire his lower Tier of Guns. As soon as he fired, she returned it, then hoisted her Topgallantsails, filled her Mizen-Topsail, and let fall her Foresail and bore away from him: He kept going down after her, until he found he should only be able to fetch into her Wake; and all the Ships in the *Spanish* Admiral's Rear, crouded up to the Relief of their Admiral, like Officers of Judgment, and Men of Resolution, who knew what to do; whose Minds were fixed upon what was their immediate Duty. In this universal Terror, where every Body being possess'd by Fears, had renounced the Duties of their Office, or entirely ignorant of it; in a perfect Maze, incapable of Direction, but as it were, receiving Orders from their Apprehensions, we were no longer the intrepid *Britons*, Masters of the Sea, that we used to be; the Courage and Wisdom of our Fleet seem'd to be gone over to the Enemy. The Admiral haled down the Signal to engage the Enemy, likewise the Signal for the Line of Battle one Ship a-head of another, and made the Signal to give over Chace (*k*). At half an Hour past five, the Admiral made the Signal again for the Fleet to draw into a Line of Battle one Ship a-head of another; and haled down the

(*k*) N° IV. A Draught delivered to the House of Commons, shew the Situation of both Fleets at this Time.

the Signal to give over Chace (*l*). At that Time it was beginning to be duſkiſh, very little Wind with the Swell ſtill up, and the Ships had hardly Steerage-way, or could be commanded; unqeſtionably then the Signal was made in order to collect the Fleet out of the Confuſion they were in, into a proper Diſpoſition of Battle, in Defence of any Attack from the *French*, that were now almoſt at Hand to Windward, but bearing down to relieve the *Spaniſh* Squadron. The Admiral, in wearing his Ship to ſtand the other Way to form the Line of Battle on the Starboard Tack, loſt a good deal of Room, and near'd the Enemy, as he did not endeavour to tack, which, in that Caſe, would have look'd more like flying, and been an Indignity to his Flag; by which means a Ship a-head of the *Spaniſh* Admiral that had been diſmaſted, and ſtruck, was left to be retook by the *French* Squadron, with a Lieutenant, and twenty-three Men.——So precipitate was our Flight, and ſo great was our Diſorder, that it ſeems there was not Time to ſave theſe People. The *Dorſetſhire*, *Eſſex*, *Rupert* and *Royal Oak* wore when the Admiral did, which brought them much nearer to the four ſternmoſt Ships of the Enemy than they had ever been before; and in paſſing by one another on the contrary Tack, the Admiral, *Dorſetſhire*, *Eſſex*, *Rupert* and *Royal Oak*, with the *Dunkirk* and *Cambridge* of the Vice Admiral's Diviſion, fir'd on this Occaſion, as did the Enemy for a few Minutes, without much Injury of either Side; but Night-Flaſhes, and violent Reports of Guns, made it appear very horrible, but in the Conſequences altogether inſignificant, only the Expence of ſo much more Ammunition, having in this laſt Firing not one Man kill'd that we have heard of (*m*).

(*l*) N° V. A Draught deliver'd to the Houſe of Commons, ſhews the Situation of both Fleets at this Time.

(*m*) Mr. *Mathews*'s Account, publiſhed by Authority, ſays, "That the Admiral was himſelf at the ſame Time, when the "Fireſhip

The *Poder* of ſixty-four Guns, and ſix hundred Men, after ſtanding the Fire of the *Somerſet*, *Princeſſa*, *Dragon*, *Bedford*, *Saliſbury*, *Guernſey* and *Kingſton*; and having loſt her Main-maſt, and Foretop-maſt, ſtruck to the *Berwick*; ſeveral Officers boarded her, claiming the Honour that they had not merited; but the Captain pointed the Ship out to whom he had ſubmitted, and when he found her to be the *Berwick*, he deliver'd his

" Fireſhip blew up, within Muſket-ſhot of the *Real*, and was af-
" terwards engaged within leſs than Muſket-ſhot by the ſame four
" Ships which had paſſed by Mr. *Leſtock*; which Ships the Rear
" of the Admiral's Diviſion engaged, but at too great a Diſ-
" tance."

We have already obſerved in a former Note, that had the Admiral been ſo near the *Real* as within leſs than Muſket-ſhot, he would have ſeen that the Launch did not blow up with the Fireſhip, as the Smoak of firing one ſingle Gun at the Launch, which was all that he fir'd at this Juncture, could not poſſibly obſtruct his Sight, even had this Smoak, contrary to Cuſtom, paſt to Windward:—But his ſaying he was engaged afterwards within leſs than Muſket-ſhot, by the ſame four Ships which had paſſed by Mr. *Leſtock*, was what alarm'd the Nation, and exaſperated the People to the higheſt Degree of popular Clamour and Fury againſt Mr. *Leſtock*, as if the Vice Admiral had not only looked with Unconcern on his commanding Officer in the Heat of Battle, and tamely ſuffer'd thoſe Ships, without endeavouring his utmoſt to engage and ſtop them from getting a-head to attack the Admiral, *who, tho' he was before over-power'd, yet continued dauntleſs againſt this ſuperior Force.* In this Manner was the Nation impoſed and deluded with the firſt Rumour and Noiſe; and this Account (without weighing long-liv'd Enmity, Paſſion and Prejudice, as well as the Neceſſity of laying the Blame ſomewhere, to draw a Veil over the moſt notorious Miſconduct) captivated all Degrees of People: Therefore we think it neceſſary to obſerve, to undeceive our Readers, that as theſe four Ships never got far enough a-head to fire at the *Marlborough*, her Diſtreſs could not any ways proceed from them——And that Admiral *Mathews* having form'd a Line of Battle a-head on the other Tack (on purpoſe to get away from the *French* who were juſt at Hand, elſe why was the *Poder* left with the *Berwick*'s People) in ſtanding from the Enemy, and leaving the Place of Battle, ſome Shot were exchanged as they paſſed one another, which Mr. *Mathews* calls engaging within leſs than Muſket-ſhot; and alſo that this hindered the *Real* from falling into

his Sword to her Lieutenant, proteſting to him at the ſame Time, that he had held the others in the greateſt Contempt; and had not ſhe come down, his Honour would have never ſuffered him to ſtrike the *Spaniſh* Colours to them. The *French* approaching very near, the *Berwick* had not more Time than to take out the Captain with ſome of the other Officers, and precipitately left behind her Fourth Lieutenant, and twenty-two Men (*n*).

All

into his Hands, and occaſioned him to be torn to pieces, altho' it is evident he had left the *Real*, and he had, beſides the Ships a-ſtern, ſix Ships a-head, *viz.* the *Dorſetſhire*, *Eſſex*, *Rupert*, *Royal Oak*, *Dunkirk* and *Cambridge*, that fired on this Occaſion in paſſing, and only four Ships of the Enemy fired. As an undoubted Proof of what I affirm, I appeal to Mr. *Mathews* and his Adherents, whether he did not fire his Larboard Guns, the contrary Guns that he firſt engaged the *Real* with? conſequently that this was a forced Fire, in endeavouring to get away. What is more, in ſaying the Rear of the Admiral's Diviſion engaged theſe Ships, but at too great a Diſtance, and aſſerting, they paſſed by Mr. *Leſtock*, Mr. *Mathews* muſt alſo allow, that before they got up where he was, they muſt neceſſarily paſs by the *Dorſetſhire*, *Eſſex*, *Rupert*, *Royal Oak*, *Dunkirk* and *Cambridge*, which Ships were far enough a-head to have bore away, and to have engaged Yard-arm and Yard-arm; conſequently had they equally bore down at firſt with the *Marlborough*, if they were not all of them able to have engaged at the Beginning of the Action, at leaſt they would have been in the Way to have attacked them as they came up, or obliged them to have put before the Wind; why, therefore, if the Captains neglected their Duty, and could not be brought to obey Meſſages ſent to them, others were not appointed in this Conteſt of their Country's Cauſe, is a Matter of great Surprize: It is certain, the ſternmoſt Ship paſſed by Mr. *Leſtock*, but with Submiſſion to the Admiral that commanded on that important Day, ſhe paſſed by out of his Reach, and with the ſame Juſtice and Propriety it might have been ſaid ſhe paſſed by, had ſhe been in Sight fifteen Miles wide of him.

(*n*) Admiral *Mathews*'s Account, publiſhed by Authority, ſays, "That notwithſtanding the *French* tack'd upon the Rear Admiral "*Rowley*, they did not think proper to engage him; they, how-"ever, retook the *Spaniſh* Ship, it being impoſſible to do any "thing with her, as ſhe had not a Maſt ſtanding, and as it was

All Action ceaſed with the Day, and ſurely Heaven ſent Darkneſs to prevent greater Confuſion, if poſſible, amongſt us, and to protect the Britiſh *Fleet from an ignominious Defeat. At this Juncture I could not help calling to Mind the many different Hiſtories I had read of Battles,* &c. *where a Handful of diſciplined Troops, well headed and conducted, have defeated, and ſhamefully overthrown mighty Armies, who were without Order, or the Advantage of an old veteran Leader; and who, to a Degree of Temerity before Battle, held their Enemy in the greateſt Contempt; where, at the Beginning of a Battle, a Blunder in the Chief committed, perhaps thro' his Obſtinacy and head-ſtrong Temper, could never be remedied by the Conduct and Courage of his Officers, nor the Firmneſs of his veteran Troops. In the Heat of Battle, an Admiral ought to be active and reſolute, yet calm and preſent to himſelf, make his Signals diſtinct, not capable of the leaſt Miſapprehenſion, and keep every Ship to her deſtin'd Poſt; and if all the deſired Succeſs ſhould not crown his Endeavours, ſhould be therefore be inflamed with Rage, and all the Paſſions which poſſeſs a proud*

" near dark, and the whole *French* Squadron had tack'd upon " them; that thereupon Captain *Hawke*, of the *Berwick*, left " her, but cou'd not get his Lieutenant, and twenty-three Men " out of her, his firſt Lieutenant having done all he could to per- " ſuade the Men to quit her, but in vain."

We muſt beg the Admiral's Pardon; the *Spaniſh* diſabled Ship had only loſt her Main and Foretop Maſts; therefore ſhe had her Fore and Mizen Maſts ſtanding: But the firſt Lieutenant of the *Berwick* having obſerved the Situation of both Fleets, the Admiral leaving the Place of Battle, and going from the *Poder* and *Real*, the *French* Squadron drawing near to their Deliverance, his Ship, the *Berwick*, making Sail after the Admiral, wiſely judged, that neither he, nor his People would be ſafe, came away, leaving the Fourth Lieutenant and twenty-three Men behind him, recommending Diſpatch; and what may ſerve to ſupport this Truth, and prove the Hurry our Fleet was in, to get away, the Firſt Lieutenant did not get on board of his own Ship that Night, but lay on board the *Royal Oak*.

proud Spirit when fallen from its Hopes, he will then loſe the Fruits of all his Talents, and precipitate himſelf into a Concatenation of Blunders, by giving Way to an headſtrong Imagination, and an ungovernable Paſſion, which knows no Bounds.

If a Fleet or an Army ſets out in Diſorder, goes on in Diſorder, begins an Attack in Diſorder, divided and incapable of ſuccouring one another, a ſmall Oppoſition will increaſe it, or make it general and baffle every Attempt. To fall into Danger for want of Foreſight is of worſe Conſequences than loſing an Advantage through Diffidence; and both theſe Faults, though of a contrary Nature, ſpring from the ſame Root, which is want of Judgment and Experience. It is in vain that a Leader, in Diſorder and Confuſion, ſhews an Example, and fights himſelf; his Endeavours to animate, his Reproaches, Threats and Orders, while it continues, Nobody can obſerve, regard or underſtand. Courage alone is not ſufficient to ſupply all the Duties of an Admiral or General; whoever depends on that merely, will find himſelf for ever foil'd; neither is it good to diſpiſe an Enemy overmuch, for the ill Conſequences of that are numberleſs in Hiſtory, and daily Practice. In Order and Diſcipline lie the whole Study of the military Art; theſe begun, continued and ended, will apply and execute few Expedients unſucceſsfully, and accompliſh great Deſigns becoming the Honour of the Nation, but without them Courage and Strength avail little; inſtead of being able to cope with an Equal, or to attack and deſtroy a diminutive Enemy, they will be ſoon reduced to ſuch a Condition, as to be able neither to ſerve their Country, nor defend themſelves.

The whole Amount of this Fight is, that the Center, conſiſting of eleven Ships, *viz. Namur, Marlborough, Norfolk, Somerſet, Dorſetſhire, Princeſſa, Eſſex, Bedford,*

ford, *Royal Oak*, *Rupert*, *Dragon*, with the *Berwick*, *Kingſton*, *Guernſey* and *Saliſbury* of the Rear Admiral's Diviſion, were able to deſtroy the whole *Spaniſh* Squadron, much more ſo, as three of thoſe Ships went with the *French*, and four of the ſternmoſt did not get up to cloſe with their Admiral before it was duſkiſh, long after the Fireſhip's Misfortune; ſo that the whole Afternoon there were only five, out of which the *Conſtant* was beat away in leſs than an Hour; what then fifteen Ships could be doing from half an Hour paſt one till paſt five, no leſs than four Hours, and theſe Ships not taken, burnt and deſtroyed, is the Queſtion which behoves them to anſwer: But here we declare lies the Neglect; for if the Admiral had not thought himſelf powerful enough with ſuch a Force, he would have had the Prudence and Patience to have forborn engaging, until the Rear of our Fleet had come up, and been ready at Hand to ſuccour and ſupport the Center.

It is certain, that few of the Ships that fired at the *Spaniſh* Squadron, engaged within a Point-Blank Mark; 'tis true, they fired as many Shot as the others; but where, and how, what Damage did they do the Enemy, or receive themſelves? And there is not one among them can ſay, they had it not in their Power to attack; they were to Windward, and up with them from the Beginning, only wanting to bear away to a proper Diſtance; and there was the Fireſhip to ſtrike a Panick withal: In that Caſe, all other Aſſiſtance was ſuperfluous; for there were more Ships already than could come to engage ſo ſmall a Number; and if the ſternmoſt at Night eſcaped our Rear by outſailing them, ſtill after four Hours to diſpatch Buſineſs in, there were with the *Dunkirk* and *Cambridge* then far enough a-head, after the Signal was made to give over Chace, ſeventeen Sail to nine, even including

ing the whole ; the *Poder* that had ſtruck, the *Real* altogether diſabled, and the *Conſtant* beat out of their Line.

If the Apprehenſion of breaking the Line of Battle was the Motive which hindered the Center from going near enough to attack the Enemy, tho' a Line was never formed, yet it is certain that the Signal was kept abroad, while the Van was left expoſed to nineteen Ships of the Enemy, not ſo much as directed to keep their Wind from that Superiority, at the ſame Time that the Center fell upon their Rear, the *Spaniſh* Squadron and our Rear with very little Wind was a great Diſtance off a-ſtern, ſurely the Signal had been better haled down ; for in that Caſe it ſeemed to ſerve no other Purpoſe than as a Bugbear to intimidate our Ships from going within Gun-ſhot of the Enemy ; and as to Diſcipline in the Order of a Line of Battle, all that was foregone when the Center bore away and attacked the Rear of the Enemy.

The Method at Sea of giving Orders, which require an inſtant Execution, or amending any Diſorder, more eſpecially in the Heat of Battle, that may diſcompoſe Meaſures the moſt conſiderate and wiſe, is by Signals, which are thrown abroad in a Moment : Our Signal Book, at preſent, has been found by conſtant Practice in many neceſſary Points to be defective and inſufficient. No Performance can ever come ſo near to Perfection, but by Length of Time it is diſcover'd, that it may admit of ſome Addition, which might ſtrengthen, give a Luſtre, or ſupply new Matter to obviate Omiſſions. Men in the higheſt Stations at Sea, will not deny but that our ſailing and fighting Inſtructions might be amended, and many added to them, which by every Day's Experience are found to be abſolutely neceſſary. Tho' this Truth is univerſally

ſally acknowledged, and the Neceſſity of the Royal Navy very urgent, yet ſince the Inſtitution of theſe Signals, nothing has been added to them, excepting the chaſing Signals, excellent in their Kind, by Sir *J*— *N*——. Not but that every Admiral has Authority to make any Additions, or give ſuch Signals to the Captains under his Command as he ſhall judge proper, which are only expeditional. Upon many Emergencies, our Signals at this Juncture proved to be very barren; there was no ſuch Signal in the Book, expreſſing an Order, when the Admiral would have the Ships to come to a cloſer Engagement than when they begun; nor for the Line of Battle in the Night; after what has been obſerved, it is unneceſſary now to repeat the great Neceſſity and Occaſion there was for ſuch Signals, as Boats in many Caſes, beſides their Delay and Hindrance could not always perform that Duty.

Mr. *Vernon*, that provident great Admiral, who never ſuffered any uſeful Precaution to eſcape him, concerted ſome Signals for ſo good a Purpoſe, wiſely foreſeeing their Uſe and Neceſſity, giving them to the Captains of the Squadron under his Command. And leſt his Vigilance ſhould be ſometime or other ſurprized by an Enemy, or the Exigency of his Maſter's Service ſhould require him to attack, or repulſe in the Night, he appointed Signals for the Line of Battle, engaging, chaſing, leaving off Chace, with many others altogether new, excellent and ſerviceable, which ſhew his Judgment, Abilities and Zeal. The Author has made uſe of them in his Notes, and takes the Liberty to print others by the ſame eminent Hand, for the Improvement of his Brethren, who, if they take the Pains to peruſe them, will receive Benefit and Inſtruction.

There

There was little Wind all Night, variable, and ſometimes calm; the Fleet ſtood in ſhore, leaving the *Marlborough* under the Care of the *Salisbury* and *Feverſham*, not without general Fear, that ſhe would be burnt, ſunk or taken; but in the Morning we had the Pleaſure to ſee her ſafe, to the great Joy and Satisfaction of the whole Fleet, and her own Ship's Company, who had laboured under the moſt terrible Apprehenſions all Night.

Sunday, *February* the 12th, the *Namur*'s Maſts having received ſome Damage, at Day-light the Admiral's Flag appeared to have been hoiſted on board of the *Ruſſel* (*o*): ſaw the Enemy in the *S. W.* Quarter diſtant four or five Leagues, and the *Somerſet* having been wandering in the Night, ſomething like her *Knight Errantry* of *Yeſterday*, fell in with one of the *Spaniſh* Squadron in the Morning, and exchanged ſome Shot with her, without loſing more than two Men in both Battles of Yeſterday and to Day. Little Wind about N. E. the Fleet bearing down upon the Enemy, ſoon met the *Somerſet* in their Way. At nine the Vice Admiral made the Signal for his Squadron to give Chace to the *South Weſt* and crouded

(*o*) Vice Admiral *Leſtock*'s Account, as delivered to the Houſe of Commons, ſays, that he received this Morning a Letter from Admiral *Mathews*, directing him, when he made the Signal for the Line of Battle a-head of each other, to lead with his Diviſion, let it be with the Starboard or Larboard Tack. How can this be practicable? for when a Fleet is once extended and form'd in order of Battle, how can the Van on the Starboard Tack become the Van on the Larboard Tack, without Confuſion and Diſorder, loſs of Time, and running the Gauntlet of the whole Fleet, to obey this Order, whereas in the common Courſe of Diſcipline in Tacking, or wearing to form on the other Tack, the Van becomes the Rear, and the Rear the Van, like wheeling about? At the ſame Time the Vice Admiral ſent his Compliments to the Admiral, by Capt. *Long*, with his Opinion, that we ſhou'd do nothing, unleſs we engag'd the Enemy in a proper Diſpoſition of Battle.

ed ſail a-head. At eleven the Admiral made the Signal for the Fleet to draw into a Line of Battle one Ship a-breaſt of another. At Two the Admiral brought to with the Fleet, in order to wait for the Rear Admiral's Diviſion, that was ſome Diſtance a-Stern, but the Rear Admiral having brought to alſo, the Admiral made the Signal for him that commands in the third Poſt to make more Sail. All this Day kept forming into a Line according to the Signal, and going down upon the Enemy, who was going before the Wind. About five we got into perfect Order and Diſpoſition, fit to give and receive Battle, ſeeming determined to make a good and proper Uſe of our Strength, and the Aſſiſtance from our ſetting out, which Heaven had continued to us. That Power, Succeſs and Proſperity of a Fleet or an Army, which depends entirely upon the Wiſdom of good Diſcipline, and the Conduct of the Leader, particularly in the ſteady Execution of its Rules, and his own ſtrict Obſervance of them, now cheer'd the Heart, and ſtrengthen'd the Hands of every Individual; every Man ſaying to himſelf, never to commit a Fault is above the Force of human Nature; but to learn, and improve by the Faults we have committed, is that which becomes a good and prudent Man: Experience enlightens the Mind, rectifies our Faults by Degrees, tames Violence and Impetuoſity, and we are often compel'd to conform by Danger and Neceſſity; there was no reſiſting the Impulſe of Yeſterday's Leſſon, which taught us to give ourſelves wholly up to the Method and Practice of our Forefathers in attacking and keeping in that Order of Battle, with which our Superiority could not fail to bring on the Deſtruction of the Enemy. *Charles* XII. at laſt taught the *Czar* of *Muſcovy* how to beat him.

The

The confederate Fleets ſaw our Strength as it were united and cemented in its proper Efficacy to be invincible; they trembled and were confounded, the exact Practice of Order and military Diſcipline had forſaken them, they were diſmayed, and did not ſeem to know what it was: The Irregularity and Confuſion of the *Britiſh* Fleet had overtaken them; we had eſpouſed their Maxims, while they, in the Panic of their Hearts, had degenerated into ours, with this material Difference, they were ſenſible of their own Weakneſs, inſtead of running headlong to attack, or waiting for our coming down, they kept away from us, fluctuating and dividing in all their Motions, like Men whoſe Minds are filled with Fears, and cannot come to any Reſolution. The *Spaniſh* Squadron was a-head and to Leeward of the *French*, four of their Ships were diſabled, among which was the *Real*, their Admiral, whoſe Flag was ſtill flying on board of this Cripple, without a Topmaſt on end, or a Yard a-croſs, excepting her Main-top-gallant and Sprit Sail Yards, under a Sprit Sail and fore-ſtay Sail in tow of a large Ship, ſuppos'd to be the *Iſabella*, with all the Sail ſhe could ſet. A ſecond without a main Topmaſt; a third without a fore Topmaſt, and the fourth without a Bowſprit. Beſides the *Poder*, another *Spaniſh* diſabled Ship, that had ſtruck to the *Berwick* Yeſterday, and in the Evening having been retaken by the *French* Fleet, ſhe had been all Day in their Rear; when on our drawing near ſhe was deſerted, and the *Eſſex* was ſent to burn her; being found already on Fire, and one of her Beams almoſt conſumed, they added to this ſlow Fire, and kindled more fore and aft, which ſoon made a pleaſant Blaze, and attracted the Eyes of the whole Fleet: This was a delightful Proſpect in a fine Moon-light Night, and was look'd upon as a certain Preſage of an eaſy Victory next Day, at leaſt the Certainty of forcing them to leave all the reſt of

their disabled Ships. The *Poder* burnt about an Hour, and at Night blew up in Sight of both Fleets, each imagining the Action to be their own handy Work; and a general Shout echo'd thro' our Fleet, from the Van to the Rear.

At half an Hour past five the Fleet brought to with the Starboard Tack on board, a fine Evening, little Wind in the N. E. Quarter, the Enemy bearing S. W. by W. six Miles. In the Morning the *Marlborough* had been sent to *Mahon* under the Protection of the *Oxford*; and in the Evening the *Burford* arriv'd from *England*, and fell into her Station in the Line of Battle, which Ship having been at *Hieres* in search of the Fleet, observing Yesterday a great Smoak ascend in the *Offing*, concluded from thence that both Fleets must be engaged, and got under sail immediately, leaving her Boat behind, which had been sent on Shore for Intelligence. (*p*).

Our

(*p*) Admiral *Mathews*'s Account publish'd by Authority, says, 'That at Break of Day he saw the Enemy's Fleet to Leeward of 'them, and found they had tow'd all the cripled Ships before 'the Wind all Night; the Admiral chac'd them again; the 'French laying in a Line of Battle to Windward of the *Spaniards*, 'most of them Hull to; but as he drew near them, they made 'Sail, and left the disabled 60 Gun Ship. The Admiral then 'sent the *Essex* a-head, and order'd Capt. *Norris* to burn the 'said Ship (not being able to spare any of his Squadron to carry 'her to *Minorca*) which Capt. *Norris* did, and she blew up at 'half an Hour after nine at Night; that there was great Rea-'son to believe, that if there had been any Wind, the *French* 'would have left the *Spanish* cripled Ships, as most of them had 'suffer'd greatly. That in the Afternoon Capt. *Watkins* of the '*Burford* join'd the Fleet; he had been in *Hieres* Bay, and 'hearing the Report of Guns, and seeing the Smoak, he made 'directly for it. That at Night the Admiral brought to, that 'the Sternmost Ships might get up with them.

It is surprizing as this Account mentions so many Circumstances and Appearances of a fugitive Enemy, disabled and encumbered with cripple Ships, that Admiral *Mathews* should have brought to so far to Windward of the Enemy, in so fine a Moon light;

Our Advantages were conſpicuous and many, even admitting that the Day before, the Force of both Fleets

Moon-light; if he imagin'd the Enemy capable of running from him before Action, as ſome of his Advocates have given out, to palliate Matters, in order to excuſe his engaging them, contrary to the Line of Battle, he muſt be truly ſenſible that they wou'd, now, more endeavour at it, as their only Reſource lay in the enſuing Night, to get away with their lame Ships. In the Night before the Action he brought to by his own Account, 'within 'a little more than three Guns Shot of them, and order'd the '*Eſſex* to lie a Mile to Leeward of him, and the *Winchelſea* a 'good Muſquet Shot to Leeward of the *Eſſex*, to watch their 'Motions, and to make the proper Signals, and ſtand after them, 'in caſe they ſhould make Sail; that he was ſo near, that he 'could count the Enemies Ships after the Moon was down.' —— Here were all the neceſſary Precautions taken, leſt the Enemy ſhould endeavour to eſcape us, when we were not ſo much as form'd in Order of Battle, and they were laying by for us in good Order; but when we had gain'd the Advantage of diſabling four of their Ships, and burning another, we became more cautious, and brought to at a much greater Diſtance in Order of Battle, without ſending Cruizers to obſerve their Motions. What cou'd occaſion two ſuch extraordinary Extremes of Raſhneſs and Diffidence, equally prejudicial to the Nation, as the leaſt Danger could not ariſe by going nearer at this Juncture, is impoſſible to ſay? but it is certain they are oppoſite to the Rules of War and Prudence, eſpecially as it was ſo eaſy for us to have kept Sight of them all Night, by making more and more ſail, as the Enemy appear'd leſs and leſs perceptible. It is what we cannot allow, conſidering the Diſpoſition of both Fleets, that there could not be ſpar'd a Frigate or two to have ſaved the *Poder*, a good Man of War, which would have been a Trophy of the Enemy's Flight; neither can we agree that the Admiral brought to, that the ſternmoſt Ships might get up with him, becauſe we were in an excellent Line at the Time we brought to. —— N° 6. of the Draughts ſhew our Order, and the Enemy's Retreat at that Time. It alſo proves what I have obſerv'd for the ſake of Diſcipline in a former Note, that ſo ſoon as the Fleet brings to, after ſailing in a Line of Battle a-breaſt, the Ships lie a-head one of another, which certainly breaks the Line a-breaſt, and entirely deſtroys that Order: However, as the Union Flag, with a Pendant under it at the Mizen Peek, is the Signal for the Line a-breaſt, it is only taking down the Pendant, and it is a ſufficient Direction for the Fleet to form and keep in that Order while it is Day: In like manner, as Lines of Battle a-breaſt and a-head are ſignified with, or without the Pendants,

Fleets had been equal. We had only loſt the Uſe of the *Marlborough*, in lieu of which the *Burford* very opportunely came, inferior no more than twenty Guns, all the other Ships were as able as ever to engage the Enemy. On their ſide, the *Poder* had been burnt, with the four Ships which we had obſerved to be diſabled and incapable of making any Defence, much leſs of giving Battle, eſpecially the *Real*, their capital Ship, and, indeed, that of the World, that had been ſo well prepared and fortified in the moſt extraordinary ſurpriſing Manner, that they had the greateſt Dependence on her. Her Sides being lined four or five Foot thick every where with Junk or old Cables to hinder the Shot from piercing them.— Her Guns from the Poop, and Patteraroes from her Tops, (which Places were barricaded with Woolpacks) did great Execution, and made great Havock among the Soldiers on the *Marlborough*'s Poop. Their Officers and Seamen, all of them, on this prodigious Bulwark had grounded their Hopes of Victory; ſuch a melancholy Proſpect could not but diſhearten; ſuch a Change could not fail to throw the moſt daring into a Conſternation; however, we put off our Joy till next Day; we, with great Circumſpection, ſtopt running nearer to a certain Victory, and keeping in Sight of them, though to Windward in one of the fineſt Moon-light Nights that ever was ſeen; we thought ourſelves ſure of the Purchaſe ſo ſoon as Day-light appeared; and that then we ſhould attain to the Height of all our Wiſhes. It ſeem'd to be impoſſi-

Pendants, but in the Night as theſe Day Signals cannot be ſeen, it is certainly the Duty of every commanding Officer to provide ſuch neceſſary Night Signals as Mr. *Vernon* did, at the ſame Time taking Care, when he makes Signals in the Night, to conſider the expreſs Words or Tenour of the Articles, leſt he ſhould fall into Error, and contradict what is not his Intention; for the Merit of a junior Officer conſiſts in executing his Orders by Signal or otherwiſe, for which alone he is anſwerable, and not at all for the Rectitude of that Signal or Order.

impoſſible for their crippled Ships to eſcape, and from all Circumſtances our Conqueſt was ſecure and eaſy to be compleated: *But junior Officers are not Judges, they cannot diſtinguiſh what is neceſſary to bring a great Deſign to an happy Iſſue; their Study is to obey, and it is not at all incumbent on them, either to provide, and judge well of the preſent, or to have a clear Foreſight of Things to come; Advantages loſt through Diffidence or Raſhneſs do not concern them; they are not accountable—Paſſive Obedience is their only and ultimate Duty, every other is ſubmitted to the Superior alone.*

In this Exceſs of a ſure Victory, we were lulled faſt aſleep laying to, while the Enemy wiſely took the Advantage, to free themſelves from the Danger of being obliged to renew a Fight, where they could not but expect to be defeated, in making Uſe of the Night to retire with all the Precipitation that their Condition would permit; what elſe could they do? They had engaged us, according to their peremptory Orders, whether ſuperior or inferior; and it is certain, that their Conduct all along from our firſt Meeting, to the Time that they did, ſhewed it to be their real Deſign; but now finding the Superiority to be ſo great, the moſt prudent Courſe they could poſſibly take was to make the utmoſt Expedition out of our Sight to ſave their Fleet. (*q*).

(*q*) The Captain of the *Poder*, who was our Priſoner, inform'd us that before they ſail'd from *Toulon*, the *French* took infinite Pains to make the *Spaniards* believe, that we had only a few Capital Ships, and the reſt were all Frigates; that we were in great Want of Men, the *Namur* having the higheſt Compliment, which was no more than 300; that we had very little Powder, and that the Men we had were ſickly, and enfeebled with the Scurvy; though theſe Reports might ſerve to animate the private Men, yet they were not at all credited by the *Spaniſh* Officers; inſomuch that in a Council of War held the Day before their ſailing, the *Spaniſh* Members argued againſt their going to Sea, but to end all Diſputes, Monſieur *de Court*, the *French* Admiral, produced the King's Order to proceed immediately to Sea, and give us Battle;

Monday, February the 13th, the Wind Northerly, at half an Hour paſt two in the Morning, the Admiral fired *Ten Guns*, which is the Signal to make Sail; a ſufficient Alarm to the Enemy if within hearing; and the Fleet continued their Courſe to the Weſtward with a freſh Gale of Wind *(r)*. At Day-break inſtead of

Battle; we had therefore no great Cauſe to be ſo impatient, for from thence it is evident that had we ſtay'd till next Day, when we ſhould have been in perfect Order of Battle, that agreeable to their Orders before they retreated, they muſt have engag'd; and indeed from their Behaviour all along, and Method of acting, it ſeem'd to be their real Intention. For had it not been ſo, as the firſt Day they had a ſtrong Weſterly Wind, and at Night our Fleet anchored in the Bay, there was nothing to hinder them from paſſing to *Italy*, had they been bound there; and had they been bound down the *Streights*, next Day when the Eaſterly Wind prevail'd, they would have made ſail from us, inſtead of bringing to, in order of Battle. In ſhort, in Spite of Falſhood and Miſrepreſentation, in order to hide ſo notorious a Breach of Diſcipline, nothing is more certain than that they came out on Purpoſe to give us Battle, and that their Deſign by making ſail, on ſeeing us make the Signal for engaging while our Fleet were in Diſorder and Confuſion, was to have gain'd the Weather Gage; an Advantage which every good Officer will endeavour to obtain, and be cautious of loſing.

(r) Though this Sigual, (the 6th Inſtruction to be obſerved in the Night Time,) is the Signal for the Fleet to make ſail after lying by, yet we cannot think it a proper one on this Occaſion, when the Enemy was on the Retreat; therefore we have the more Reaſon to lament that other Signals more applicable, were not provided and appointed: For this not only alarm'd the Enemy, but it was no certain Guide, nor Direction: It neither pointed out the Courſe the Fleet ſhould ſteer, nor that it ſhould ſail in a Line of Battle; and though the Rear of the Fleet might gueſs at the Admiral's Courſe, by ſeeing his Diſtinguiſhing Lights, yet the Van could not poſſibly ſee, or make any Judgment, without proper Lights (as ſhould have been at the Bowſprit End) forward. In ſupport of what we have ſaid, in Regard to Night Signals, we will inſert a Preamble of Admiral *Vernon*'s, to one of his Additional Signals, *viz.* Whereas the Night Signals " in the general " Inſtruction Book for lying by, or making ſail after lying by, " are Signals generally conceived for bad Weather, and ſo for " being better diſtinguiſhed, are directed to be made with a " great Number of Guns, which in moderate Weather, and our

" preſent

of being within Gun-ſhot of the Enemy, no Body could diſcern them; they had made the beſt Uſe of their Time: Hands were ſent to the Maſt Head, Emiſſaries of every ſort with the keeneſt and ſharpeſt Eyes were kept on the Stretch; all employed to look out for the Enemy, when the Vice Admiral made the Signal for ſeeing above twenty Sail. At ſeven the Admiral hoiſted a Flag ſtriped red and white on the Flagſtaff at the Foretopmaſt-head, and fired a Gun, which Signal, by the 13th Article of the fighting Inſtructions, is for the Vice Admiral and his Diviſion to draw into a Line of Battle a-head of one another; but by the 14th Article of the ſailing Inſtructions, it is for the Vice Admiral to ſend Ships to chace (*s*), upon which the Vice Admiral repeated the ſame Signal, and with his Diviſion in the Line of Battle one Ship a-head of another, gave Chace a-head. At eight the Admiral made the Signal for the Ships to Windward to bear down into his Wake: And at nine he made the *unfortunate Signal* to give over Chace, which the Vice Admiral anſwered by ſhortening ſail; and the Enemy ſoon after got out of Sight with all their lame Ships. At ten the Wind came to the Eaſtward, a good Wind to give Chace, without ſtraining our Maſts; but though it continued ſo, the Fleet lay by all that Day, and next Night (*t*).

" preſent cruizing Station might be inconvenient:" And it is certain that ſuch Signals are improper, within hearing of our Enemy, and ſo defective, that they can ſerve no Purpoſe but that of bad Weather, which is the only Uſe of them.

(*s*) Here is another Inſtance where the ſame Signal means two Things, conſequently it proves the Neceſſity for an Alteration in our general Inſtruction Book.

(*t*) Mr. *Mathews*'s Account publiſhed by Authority ſays, " That he ſaw the Enemy again next Morning, but at a great " Diſtance. That after the Admiral had loſt Sight of the Ene- " my's Fleet, he found all his Endeavours to rejoin them, or " procure Intelligence of them ineffectual, they being gone, as " he ſuppos'd, down the *Streights*."

Here

On *Tueſday* the 15th, made *Cape St. Sebaſtian*, then bore away for *Minorca*, and ſaw the Iſland the 17th, when the *Sutherland* Hoſpital Ship was diſpatched into *Mahon* Harbour with the wounded Men.

In this Month we bore away twice more to *Minorca*, which, if we had not been ſo unlucky as to do, we ſhould have got to *Hieres*, where it was judged we were bound, and thereby eſcaped an hard Gale of Wind, in which moſt of the Ships were greatly diſabled, by loſing their Maſts, falling on board of one another, through the Miſapprehenſion of Signals, as well as ſome of them very near aſhore in the Night in a Storm of Wind upon the Iſland of *Minorca*.

From

Here he acknowledges that he ſaw the Enemy, but not one Word of calling the Vice Admiral off from chaſing them, who gain'd ſo much on the Enemy, as to make them from the Deck, with a Separation between the *Spaniſh* and *French* Squadrons. Not ſatisfied with the Signal, the *Winchelſea* was ſent with Orders for the Vice Admiral to come into the Fleet; and if it was Weather for her Boat to go on board of the Vice Admiral, ſurely it was ſuch as might have been employed in going after a fugitive diſabled Enemy, without injuring our Ships that were diſabled. The Day before he ſays, "there was great Reaſon to believe, that if "there had been any Wind, the *French* would have left the *Spa-* "*niſh* crippled Ships, as moſt of them had ſuffered greatly." And now that there was Wind ſufficient to bring him up with the Enemy to gain theſe Ships, or force a general Engagement, he gives over Chace, paſſing over this important Particular, in his Account, or giving any Reaſon for ſuch extraordinary Conduct; at the ſame Time pretending that he us'd all his Endeavours to rejoin the Enemy or procure Intelligence of them, when he acted quite the contrary, and lay by all Day and next Night with an Eaſterly Wind.

Every Conſideration ſeem'd to enforce our Fleet purſuing the Enemy down the *Streights*, eſpecially as it was reported, they expected Reinforcements from *Breſt*, and not one againſt it, even if it could have been poſſible to have ſtrain'd our diſabled Ships Maſts, by going almoſt afore the Wind;——ſo great an Advantage and ſuch ſure Omens of Victory were worth running ſome Riſque; and as the Enemy eſcaped by the Vice Admiral's being call'd from the Chace, Mr. *Mathews* who gave the Order is alone anſwerable.

From theſe Diſaſters, the Fleet was obliged to go into the Harbour to refit, from whence the Ships did not put to Sea till the latter End of *March*; before which Time the Vice Admiral was ſuſpended and ſent home to the great Surpriſe and Aſtoniſhment of the Fleet *(u)*. *Rear Admiral* Rowley, *now commanding in*

 the

(u) Queries, Anſwers, and Replies had paſt between the two Admirals, and on the 16th of *March*, above five Weeks after the Fight, the Vice Admiral having ſent what is entitled, his Rejoinder to Admiral *Mathews*, a Paper of ſome Length and Reaſoning, where among other Things, he ſays; " I would not wil-
" lingly give Offence, or irritate Matters more; but when I am
" attack'd in ſo violent a Manner, ſo injurious to my Honour,
" and my conſtant Practice all my Life long; you muſt give me
" Leave to wiſh from my Soul, that you had had a little more
" Patience before you engaged; and ſince the ſole Dependance
" was on my Diviſion, to have waited until the Line had been
" formed, and we had come up to cloſe with you, agreeable to
" the Meſſage, which your Lieutenant brought me in the Morn-
" ing."

" I muſt be blind, Sir, if it could poſſibly eſcape my Obſerva-
" tion; neither indeed can any impartial Perſon help ſeeing it,
" that while I and my Diviſion have been thus undeſervedly
" blam'd, nothing by you like Cenſure, has been imputed to
" the Center. It is notorious, that not above five Sail of the
" *Spaniards* engag'd, where there were eleven Ships in our Cen-
" ter, beſides the *Berwick* and *Kingſton*, with two 50 Gun
" Ships, in all fifteen, that from the Beginning had it in their
" Power to reach the *Spaniſh* Squadron, in what Manner you
" had been pleaſed to have directed. And ſurely without any
" great Degree of *national Vanity*, fifteen Sail of *Engliſh* Ships of
" War, ſuch as thoſe were, and under your Direction, Sir, were
" a Match for only five Sail of *Spaniſh* Ships; at leaſt to have
" kept, or forced a-ſtern the fore mentioned Ships for our com-
" ing up, that could not poſſibly fire a Gun to tear you to Pieces,
" before the Time, that you made the Signal for the Fleet to
" give over Chace, and haled down the Signals for the Line of
" Battle, and for engaging the Enemy."

" This without any Conſideration immediately produced the
" following Letter of Suſpenſion." Sir, I have received your
" Anſwer to my Replications to your Anſwer to the Queries I
" firſt ſent you; I ſhould not at preſent, had I Time, trouble you
" with any Reply to them, but ſhall defer that till my Conduct ſhall

" be

the ſecond Poſt, hoiſted his Flag on board of the Neptune; *on whom it is ſaid, the Command in the* Mediterranean *will*

" be enquired into at a Court Martial. I ſhall therefore content " myſelf at this Time with acquainting you, that I do not think " your Anſwers do by any means juſtify your Conduct in the late " Action; and for fear that his Majeſty's Service ſhould ſuffer for " the future by your Miſconduct, I do therefore judge it is my " indiſpenſable Duty to order you home, where you will have " Time to prepare yourſelf for your own Defence, and likewiſe " to make good the many Neglects of Duty you charge me with " having been guilty of. You are therefore hereby required and " directed forthwith, to repair on board his Majeſty's Ship the " *Saliſbury*, whoſe Commander will have my Orders to proceed " directly with you to *England*: And I do hereby ſuſpend you " from all further Authority in his Majeſty's Fleet, till his Ma- " jeſty's Pleaſure ſhall be known. I am, Sir, yours, *&c.*

Vice Admiral *Leſtock*'s Anſwer to the preceding Letter.

Sir, with Pleaſure I have received your Order of Suſpenſion, having taken down my Flag, and am, Sir, yours, *&c.*

The Vice Admiral's Flag was ſtruck the ſame Night, and the next Morning many Boats came aboard of his Ship, inquiring whether he was not dead, ſo little did it appear to the Fleet that he had miſbehaved, or deſerved this ſevere Cenſure; nay afterwards, for want of a better Reaſon, a ſilly Rumour prevailed (which ſoon deſtroyed itſelf) of his having held a Correſpondence with the Enemy, and even ſome Captains aſk'd Mr. *Leſtock* himſelf the Cauſe of his Suſpenſion. However, notwithſtanding this publick Cenſure, his Majeſty's Governor of *Minorca* ſeemed to eſteem the Vice Admiral as an injured innocent Man, by ſaluting him with fifteen Guns, when he ſailed out of *Mahon* Harbour on board of the *Saliſbury* for *England*, and this is what he never would have done, had he imagin'd the Vice Admiral had ſacrificed the Honour and Intereſt of his Country.

Admiral *Mathews* when he took the Command from Mr. *Leſtock*, began it, with ſuperſeding all the Officers that Mr. *Leſtock* had made, even his own Secretary, and thoſe that had been appointed before he came within the Juriſdiction of his Command.

This is what he had no Power to do, no more than ſuperſede the Officers that Mr. *Haddock* had appointed, ſince Mr. *Leſtock* had the King's Authority to command the Fleet.——After a tedious Delay, the Nation big with Expectation, not knowing (we ſuppoſe) what to write; the Vice Admiral is arraign'd and condemned, deprived of commanding in Chief the Fleet, and ſent home as a Delinquent, in an ignominious Manner, full in the Eyes of the Publick, to bear all the Blame and Odium of the Failure

will devolve, as a conſummate Commander, of great Abilities and perfect Experience.

Paſſion and Fury have often a greater Sway than Reaſon and Juſtice. The Shame of being diſconcerted, is what Men would willingly hide from themſelves, and bury in Oblivion. The Proſpect of a certain Diſgrace few Men can endure; it often carries them into all manner of Crimes and Exceſſes to efface their own Ignominy. Pride, Ambition and Vanity, are ever dangerous and incapable of hearkening to Councils of Moderation; they are ſoon intoxicated with Greatneſs, and give free Reins to the Hatred they have always nouriſhed. There are Harpies enough about them eternally fomenting Diviſions, who catch at all Opportunities to raiſe new Diſturbances, and fill their Ears with raſh random Words, let ſlip in Heat, and loſt in Air. Thoſe, indeed, who proſtitute their Conſcience to feed their Inſolence, and ſupport their Tyranny, will be always receiving Marks of their Favour and Friendſhip; the Price of their Slavery and abject Minds, while Honour and Honeſty are oppreſſed and condemned thro' Malice and Weakneſs: Implacable Enemies, giving Vent to Envy, and endeavouring to blacken the Virtue, Knowledge

Failure of his Majeſty's Fleet, in whoſe Suſpenſion was involv'd the Miſconduct of every Perſon in it, as it has appear'd that no other has been accuſed by Admiral *Mathews*. Mr. *Leſtock* concludes his Account in theſe Words. " My Honour, my Expe-
" rience, and long Service, make an Enquiry moſt welcome to
" me, either here or in any other Place. It is what I have long
" ſolicited for, and as the Reſult of it will give publick Satiſ-
" faction, I eagerly and earneſtly attend to it, as the only means
" of having Juſtice done to myſelf, and to every other Object
" of it:" And had this Gentleman's Adverſary labour'd and endeavour'd as much to obtain an Enquiry as he has done, we have Reaſon to think that the neceſſary Evidences would have been arrived to have perfected it before this Time, and enteirly confuted the many ſcandulous Reports ſpread to blemiſh his Reputation.

ledge and Uprightneſs of Intention, which they have neither Abilities, nor Goodneſs of Heart to imitate. (w).

In the mean time the *Spaniſh* Squadron, in the moſt infinite Diſtreſs, parted from the *French* the Day after we loſt Sight of them, but afterwards they arrived ſafe in *Carthagena* Harbour; while the *French* had been looking for them at the Iſland of *Majorca*, and did not anchor in *Alicant Road* till the 27th of *February, N. S.*

Nothing can exceed the Severity of this Misfortune and Diſappointment; a national Grievance and Calamity, what the richeſt and pooreſt Men muſt feel, all Degrees from the higheſt to the loweſt. Had we purſued them, it is now obvious and manifeſt to the whole World, that we ſhould have reap'd an Harveſt adequate to the immenſe Expence of watching their Motions at their Harbour's Mouth above two Years; the whole *Spaniſh* Squadron muſt have been infallibly deſtroyed, or become ours, and nothing could have ſaved the *French* but their Heels. Separate or together, this irrecoverable Overthrow to our Enemies muſt have enſued; all their Deſigns muſt have been fruſtrated and defeated; our Allies ſupported, the *Spaniards* taught to purſue their true Intereſt, while the Power of the inſolent Controller of *Europe* had been pull'd down, and he become flexible to our juſt Demands; the Harbingers of Peace,

(w) It has been ſaid that a private Pique and Animoſity have been the curſed Cauſe of the Miſcarriage, and that Courage and Conduct were not wanting. Probably indeed the Shame and Diſgrace of being diſconcerted, mingled with an old Grudge, and a violent Reſentment, might occaſion the Suſpenſion. —— But never, never reſtrain an Officer from Battle, where the Conteſt is the Honour and Intereſt of his Country; ſurely there cannot be ſuch a Wretch in being ſo execrable and abandoned.

Peace, Trade, and Plenty, with Glory to the Nation and its triumphant Fleet. (*x*).

Let

(*x*) After the Enemy's Eſcape at ſo eaſy a Rate, when we had ſo great a Strength, can Malice or Envy itſelf any longer cenſure the Conduct of Admiral *Haddock*, whoſe great Abilities were ever actuated by a fervent Zeal, for the Preſervation and Honour of his Country? It was not ſufficient for him to have done well, but even to have put it out of the Power of the unthinking Populace to blame his Conduct and cenſure his Actions: Let us examine his unfortunate Situation, and look into his Line of Battle, ſince ſuch Miracles were expected from him. It appears that after a vigilant Cruize of above four Months off *Cadiz*, he was neceſſitated to put into *Gibralter*, for Water and Proviſions, to put his ſick Men on Shore, and to refit again for the Sea; when the *Spaniards* took that Opportunity with theſe very Ships, and ſix more of ſixty and ſeventy Guns, in all eighteen Sail, to paſs thro' the Gut for *Italy*. He loſt not a Moment's time, but followed them, having only the *Marlborough* of ninety Guns, the *Somerſet* and *Lancaſter* of eighty, the *Ipſwich* of ſeventy. The *Warwick*, *Dragon*, *Plymouth* and *Pembroke* of ſixty each, five Ships of fifty each, and two of forty, in all fifteen Sail, very indifferently mann'd. He got in ſight of the Enemy off *Carthagena*, and with this paltry Line was that brave Man determined to attack the Enemy, when the *French* Fleet, conſiſting of thoſe very Ships, now join'd to the *Spaniards*, appear'd alſo, which forced the Admiral to ſtand off; and it was happy for us that the *French* came in ſight; for if we were to judge from the late Behaviour of the *Spaniſh* Officers, and the Strength of their Ships, that Admiral with his Squadron would have been certainly deſtroyed. After this Experience, muſt not they be mad Men who dare continue to blame this Gentleman's Conduct; for had he had a ſufficient Force to cope with the Enemy, no Admiral that ever lived would have given a better Account of them.

Extract of a Letter from a Spaniſh *Officer of Diſtinction, to an Officer in the* Engliſh *Service.*

SIR,

" I ſend this according to your Deſire, with that Sincerity, " which Officers of Honour mutually owe one to another. Al- " though I am not acquainted with Admiral *Haddock*, I muſt do " him the Juſtice to ſay, that he behaved himſelf on this Occaſion " with the Conduct of a Miniſter, and the Bravery of a great " Officer, becauſe the Party was very unequal, after having join'd " the *French:* Whatever People ſhall ſay in Contradiction to this, " ought to be look'd upon, as proceeding from entire Ignorance, " or from a Deſign of impoſing upon you. *I am*, &c.

Let us ſum up all the dvantages that each Fleet had over the other, and leave them to the Reader to form a Judgment, which Side had the Superiority in *Strength*, *Wiſdom*, *and good Diſcipline*.

The Combined Fleets ſet out with ſummoning frequent *Councils of War*, to gather the Judgment of every experienced Officer of known Fidelity, as an Aid and Aſſiſtance to the Leader. A Man of inferior Talents may hit the Nail on the Head ſooner than a ſuperior, or indeed the greateſt Genius; and great Improvements may be made upon the many different Hints and Propoſitions, which the Diverſity of Opinions ſtart in ſuch an Aſſembly, and contribute towards enlightening the Commander, and his taking the wiſeſt Reſolution: *But we were not Slaves to any ſuch Rules and Cuſtoms, which all ſufficient Men look upon as the chimerical Ideas of weak Minds, who are conſcious of their own want of Capacity to execute great Deſigns.* (y)

They

Mr. *Leſtock* in his Rejoinder to Mr. *Mathews*, ſays,

" I do not think it improper to ſay that my Judgment, or " Opinion was never ask'd. I have had a Proof from you, Sir, " theſe two Years, that it was not worth a Summons, tho' I had " the Honour to bear his Majeſty's Flag; yet I have always, " *even in the Day of Battle*, been kept ignorant of your Deſigns " more than many private Captains." Contrary to this, that conſummate Officer Admiral *Ruſſel*, before the Battle of *La Hogue*, call'd the Flag Officers on Board of him; eſteeming it of the higheſt Importance to deliberate with them, and receive their different Opinions (the conſtant Practice of every good Commander) and not contented with the general Inſtructions for their Guide and Direction, he had Diſcipline ſo much at Heart, that he gave a written Order to every Captain not to quit the Line of Battle, but rather to ſink than leave his Station without Orders: And alſo injoin'd the Admirals on the leaſt Appearance of a Captain's Miſbehaviour or ill Conduct in Service to appoint immediately another in his room. —— Hence every Officer in Emulation of one another, exerted themſelves, knew their Duty, and were thoroughly ſenſible what they had to truſt to, if they did not

They diſciplined their Officers, in forming Lines of Battle, with the greateſt Exactneſs. *We were altogether unacquainted with theſe Exerciſes, unleſs it could be ſuppoſed, that we could remember them, notwithſtanding the Omiſſion of two Years, ſince the honourable Admiral commanded in the* Mediterranean.

The next Day after they came out, they had a freſh weſterly Wind, the Weather-gage of us, yet ſo cautious were they, tho' the Wind might ſoon ſhift to their Diſadvantage, they, nevertheleſs, held Order and Diſcipline ſo much in Eſteem, ſo much a preferable Advantage, that they ſpent all that Day in forming and getting into a proper Diſpoſition of Battle, rather than venture bearing down upon us, unformed and irregular. We obſerved this their Motion, and ſaw into their Deſign; therefore, in the Evening, our Fleet very wiſely anchored in the Bay.

They kept in conſtant Order and Readineſs for Battle, we notwithſtanding the Signal for the Line of Battle was flying, came out of the Bay of *Hieres* in great Confuſion; and Providence, in the moſt imminent Danger, delivered us from falling on board of one another.

Fortune, who has a great Influence upon all human Affairs, and exerts her Power no where with ſo much Inſolence, as in war-like Undertakings, croſſed them in every Event, and was extremely indulgent to us. At their coming out, one of their Ships was diſabled, called the *Leopard*, a Ship of ſixty Guns, and they were forced to leave her to be refitted. Far otherwiſe ſhe accumulated all her Favours, and wantonly beſtowed them on us; our Fleet became her darling Child; ſhe extricated us when our own Indiſcretion

not behave as Officers of Prudence and Courage, and as they would anſwer the Contrary at their Peril.

had like to have deſtroyed us, and by her peculiar Protection at the critical Moment, the *Boyne* and *Chicester*, *Royal Oak* and *Burford*, not only eſcaped the Enemy, but joined the Fleet. Above all, ſhe took the Wind from them and gave it us, continuing in this Bounty to the End: Fortunate Auſpices indeed! an Overthrow to the Execution of the Enemy's Fire-ſhips, and their other Engines of Deſtruction.

The Lines of Battle ſhew the Diſpoſition and Strength of both Fleets; we had the Superiority in Guns of the Line of Battle no leſs than 722, including the Ships of fifty Guns, and without reckoning them (tho' they had Ships of fifty Guns in their Line of Battle) 422: We had eleven three Deck Ships, whereas they had only one, the *Real* ſo weak, that ſhe could not bear more than 24 Pounders on her lower Deck. Indeed their Ships of ſeventy-four Guns carried on their lower Deck 36 Pounders, and on their upper 18.

They had more Men in Proportion to the Force of their Ships, under good Diſcipline, *without Noiſe*, tho' not many of them accuſtomed to ſail in large Ships, but in Settee's, Xebecks, or Barca Longo's. The *Spaniards*, contrary to the Character of that Nation, work'd their Ships like Seamen and Officers, entirely convincing us, who always had the moſt abject and contemptible Opinion of their Knowledge; that their Judgment in conducting, and Reſolution and diſtinguiſhed Bravery in ſuſtaining an Attack, and defending themſelves could not be exceeded.

Tho' we had not quite ſo many Men as the Enemy, on board of the Ships of the Line of Battle, we had a ſufficient Number to fight and work our Ships; and as they did not ſtand ſo thick, conſequently the

leſs incident to be cut off; greater Numbers can only ſerve the Purpoſe of boarding. Our Men were all in good Health and Spirits; if any Men in Being, love or take a Pleaſure in fighting, they are *Engliſh* Seamen, who are incapable of Fear, and deſpiſe Death; no Suffering or difficult Enterprizes can diſhearten them; in ſhort, they are indefatigable, and in Battle never yet failed to diſtinguiſh themſelves in overcoming Labours and Dangers.

Beyond all Queſtion, the *French* Officers are good; they take great Pains to raiſe them, and they are regularly bred, in Emulation of one another, giving daily Proofs of their Improvements; and yet there was ſomething very extravagant and fantaſtical in the Invention of their Bridges, which they throw'd overboard; finding them not only an Incumbrance, but extremely dangerous in regard to the Splinters which might proceed from them, in cutting and wounding both Men and Rigging, particularly the Shrowds, where they were plac'd.

We do not at all trouble our Heads in training up Sea Officers, tho' the chief maritime Power; if they are Seamen, 'tis a meer Chance if they know any thing of military Diſcipline, or the Art of War; while the *French* are taught that Art, and to behave to one another like Gentlemen, with Complaiſance and Politeneſs, and every Officer gives his Orders to his inferior, with the modeſt Manners of Equality; *we domineer* over one another with the lofty and imperious Air, which the Command of a *Britiſh* Ship of War naturally gives a Man: Thus our Spirits are broke, and reduced to that timid Submiſſion and ſervile Dependence, which cannot be expected but from Men bred and educated in Obſcurity. They command Gentlemen, we command Slaves,

Their Ships were all clean, moſt of ours were foul; depending on that Advantage, they made Sail to the Southward in great Order, endeavouring to gain the Wind; we kept bearing down upon them unformed, wide and extended, ſlighting the Enemy, rather than wait one Day longer, when we might have perfected our Line of Battle, and overcome them infallibly. They came out fitted to fight, and their Orders were ſuch, that they durſt not return before they had done it; and until the Day after the Engagement, their Conduct all along proved this to be their real Intention.

Our Center attack'd their Rear, while the Van of our Fleet was left expoſed to nineteen Ships, and our Rear was a great Way off: Undoubtedly this was like aiming at a Victory in one Place, while there was a Certainty of a Defeat in another. After all, if it was poſſible for 15 Ships with a Fireſhip, to deſtroy five in four Hours, it was practicable for our Center to have done it: But it is certain that had the Ships been ſtretched and cloſed into a Line of Battle, and all of them from the Van to the Rear, had had it in their Power to have taken up their Adverſaries ſucceſſively, their Duty could not have been miſtaken: On the contrary, we ſeem'd to be in a perfect Maze, in a Conflict between obeying the Signal for the Line of Battle, which was kept abroad (without the Signal to give Chace, or to come to a cloſer Engagement) and going down nearer the Enemy.

Notwithſtanding there was little Wind when the *French* doubled upon us, which was lucky, conſidering our confuſed Diſpoſition; yet they preferred ſaving the *Spaniſh* Squadron, the Rear of their Fleet, to the Deſtruction of our Van, which they could have eaſily executed.

It has been known that a Profeſſor of the noble Science of Defence has been foil'd by a Man perfectly ignorant in that Art: The unaccountable wild unexpected Manner in which he attack'd or defended himſelf, has been the ſole Cauſe of his Conqueſt, but theſe Inſtances rarely happen.

We chaſed them next Day after the Fight with all the Precautions and Diſcipline neceſſary to bring us Victory and Succeſs; *ſtrange Mutation!* we attack'd Pell-mell when they were unhurt, and in good Order, contrary to this Rule; but now we had the Superiority of five Ships, and they ſhewed all the Appearance of Run-aways, we were more cautious.

We brought to ſix Miles to windward of them, in a fine Moonlight Night, not at all fluſhed with theſe Advantages, as if Fireſhips could have been forced upon us right in the Wind's Eye, or they in the panic of their Hearts, and diſabled Condition, would have attempted that Night to have got the Wind of us.

They wiſely took the Advantage of our overmuch Security, and by theſe very Meaſures they over-reached us in keeping away all Night. We went after them at half an Hour paſt two in the Morning, with the Alarm ten Guns; though they made what haſte they could, yet they were in Sight at Day-light, but we gave over chaſing them in a few Hours. The Wind came eaſterly in an Hour or two after, and we continued to hug it, by which means we loſt a compleat Victory, and they ſaved themſelves from a ſhameful Defeat, to be able another Day to give us Battle.

As it is the eſſential Quality of Prudence to draw good Luck out of bad, and to be the Mother of Succeſs, Indiſcretion, on the contrary, turns even Good into Evil, and is the Mother of Adverſity.

A particular Detail of the Loſſes on both Sides belongs to our Purpoſe; but we cannot come to any Certainty of the Enemies, unleſs it be from Monſieur *de Court's* Journal, which for the Satisfaction of the Public, we have printed in *Engliſh*. On our Part, as there cannot be reckoned more Ships to have been engaged than ſix Sail, if we rank them according to the Greatneſs of their Loſſes, they muſt be mentioned in the following Manner, the *Marlborough*, *Barfleur*, *Norfolk*, *Princeſs Caroline*, *Namur* and *Berwick*.

The *Marlborough* had 42 Men killed, and 125 wounded, out of the laſt Number twenty of them died in three Days.

Captain *Cornewall* had both his Thighs ſhot off, and he had only Life to expreſs the Agony he was in, by ſhaking his Head at the Surgeon below. This Gentleman, who was the Idol of the Navy, and a great Ornament to it, expired in a manner becoming a Man of Spirit. He had been directed by the Admiral, immediately before he had bore down, to attack the *Real*, in which he was determined either to conquer or die; this was his inflexible Reſolution, and he ſtrictly adhered to it to his laſt Gaſp. Courage was far from being his only Endowment, his Genius and Knowledge were equal to any Taſk that could be ſet him in his Profeſſion; few Perſons came up to him, and none ſurpaſs'd him. He took great Pains, particularly in acquiring the various Diſcipline and Government of Fleets in all Nations, out of which he made excellent Obſervations and Compariſons, extracting

tracting the good Maxims, and made great Improvements. His Sentiments were delicate, and he had no ſuperficial Qualities. His Principles were ſolid, and his Judgment penetrating into Men and Things; and Virtue, Wiſdom, and Valour, gave him a natural Right to command. He never, with all theſe Talents, diſplayed them, or ſet them out to Shew without a Neceſſity, in Oſtentation and vain Glory; florid Diſcourſes, and the Knack of talking upon all Subjects, without going to the Bottom of any thing, were no Parts of his Character; he was Maſter of all the amiable and ſocial Virtues, he excluded all ſuperfluous Formality; his Condeſcenſion and Affability were conſpicuous to every Body; State and Loftineſs he was unacquainted with; his ſole Aim was to render Company and Converſation eaſy and agreeable; and whatever Company he went into, he never failed to win their Hearts, and gain a perfect Aſcendant. Yet this amiable Gentleman had been very unpopular to ſome People; but to ſhew the Depravity of their Nature, and want of Judgment, another Sea Captain, who had neither his Abilities, hardly common Senſe, but a Man of a blundering Underſtanding, won their Applauſe by Inſinuation, quacking, and trumpeting up his own Praiſes, low Wiles, mean Artifice, becoming an abject Spirit; while Captain *Cornewall* from his Soul deteſted all ſuch falſe Policy, unworthy of him and beneath the Rank of a Gentleman.

Captain *Godfrey* of the Marines was killed, the Hammocks, Rails, and Quick-work having been knock'd clear away fore and aft, the Quarter-deck cleared three Times, only one Man remaining upon it; the few Marines that were left alive, and not wounded, who, poor Fellows, had been ſome time without any manner of Shelter, loading their Firelocks upon their Bellies and firing, were ordered below to the great Guns. The Maſter Mr. *Robert Ca-*

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ton had both his Legs ſhot off, and lived to get on Shore to the Hoſpital; he was a good able Maſter, an excellent ſtout Mariner, and a ſober bold Officer.

Lieutenant *Frederick Cornewall*, the firſt Lieutenant, before the Captain's Death, loſt his right Arm, in regard to which, his Merit and long Services, he was preferred to the Command of the *Marlborough* for a few Days, and then reſigned. Upon the Captain, his Relation, being brought down to the Cockpit, with an uncommon Delicacy and Nobleneſs of Soul, bleeding very faſt, and in great Danger of his Life, he ordered the Surgeon immediately to leave him, and go to the Captain. Likewiſe a young Gentleman having ſeveral Times come down below to repreſent their infinite Diſtreſs, Ships pouring in upon them terrible Fires, without any Aſſiſtance to oppoſe them, every Friend far off, and more of the Enemy's Ships coming up juſt at Hand, talking as if it had been impoſſible for them to hold out any longer, dauntleſs, under the Apprehenſion of the Ignominy of ſtriking the Colours, Lieutenant *Cornewall* in the Agony he was in, would have gone upon Deck, had he not been hindered. But indeed the Officer who commanded in Right of his Seniority, then in Action, was a very able Man; and at this Time it would be almoſt an Injuſtice not to mention him. Lieutenant *Newſeller*, ſecond Lieutenant, fought the Ship above two Hours, in which he gave Proofs of his Courage and Conduct; the *Marlborough* having cleared the Wreck away in a Moment after loſing her Maſts, outlived the *Real* in firing a long Time; and to the very laſt made extraordinary good Fires, eſpecially from her middle and lower Decks, while her Adverſaries lay quite ſilent. Afterwards this Gentleman continued to be indefatigable, having taken unwearied Pains becoming a prudent and good Officer to put every thing to Rights, and great Order among

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the wounded on the Platform; which ſhewed a tender Regard, a generous Feeling and Humanity to his fellow Creatures, whoſe Recovery he held in the higheſt Eſtimation. He was upon the Wing conſtantly in the Execution of his Duty, and preventing any Diſorder, never undreſs'd, but kept the Deck until the *Marlborough* got ſafe into *Mahon* Harbour. We have been told that the *Marlborough*'s Condition was looked upon to be ſo bad next Morning after the Action, that Orders were once given to ſink her; but luckily enough they were contradicted, and a fine Ship was ſaved to his Majeſty.

The *Barfleur* had 24 Men killed, and about 20 wounded; her Maſts were wounded.

The *Norfolk* had 9 Men killed and 13 wounded.

The *Princeſs Caroline* had 8 Men killed, and 20 wounded: Her Maſts were very much wounded.

The *Namur* had 8 Men killed, and 12 wounded: Her Maſts were likewiſe wounded; but in two or three Days, they were made as ſecure as ever, and the Admiral hoiſted his Flag on board of her again.

Captain *John Ruſſel* loſt his Left Arm, lived ſome time in a fair Way of doing well, but afterwards died of a Fever at the Hoſpital. He was an extraordinary good Seaman, indefatigable in the Execution of his Duty, an excellent Captain under an Admiral in the Diſpatch of the Buſineſs of a great Fleet, underſtanding perfectly well that Part of its Government which fell under his Adminiſtration. He did not trouble his Head much about a fine Addreſs, ſatisfied with the Uprightneſs of his own Intentions, he went on directly to what he thought was neceſſary

for the Good and Expedition of the Service, without making the leaſt Uſe of any Art or Inſinuation; and his Heart was ſo immediately fixed upon this, that he was the leſs able to bear with the Neglects and Faults of others.

According to the Captain of the *Poder*'s Account, the firſt Broad-ſide which the *Berwick* gave him killed 27 Men, and diſmounted 7 of the lower Deck Guns; but on the *French* Fleet doubling upon our Van, the *Berwick* was glad to make ſail, leaving on board of the *Poder* her fourth Lieutenant, and 23 Men, who, in that Situation, became Priſoners.

It was obſerved, that the Enemy aimed their Shot at our Maſts; no doubt, diſmaſting is a material Point; but what helped to this was, their being to Leeward of us, with a conſiderable Swell, which might poſſibly throw the Shot ſo high, without being always deſigned.

To conclude, the Fleet received more Damage in the bad Weather, than from the Enemy; ſome Part of it occaſioned from wearing twice in two Hours in a very dark, violent, ſtormy Night, and miſtaking the Signals made ſo ſoon one after another.

As it is ſome Part of our Relation, we muſt not forget mentioning the three Men of War that were purchaſed. To ſpeak the Truth, ſhould theſe Veſſels ſurvive coming home, they will be no great Proof either of the Integrity of thoſe who valued them, or the good Judgment of thoſe who purchaſed them; the Reputation of the *Engliſh* Builder will be heightened perhaps at the Expence of ſome Men who take all Opportunities to run it down.

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The *Heſter* Row-boat was the firſt, ſhe is almoſt as big as my Lord Mayor's Barge without her Beauty, and a charming Veſſel to be occupied in a Pond: Though a Captain, who thinks himſelf an extraordinary good Judge, alledged, that in her he would take a Ship of 20 Guns, yet that Recommendation did not allure the Admiral's Lieutenant next to Promotion at the Time *She was added to our Strength*; he had an Averſion to drowning, and he trembled for fear he ſhould be appointed Captain of her, which was the Reaſon, as we have heard, that there was not one made to her.

The ſecond is an Xebeck taken by the *Dragon*, a great deal ſmaller than the *Garland*'s Prize; a Captain and a Lieutenant were commiſſioned for her: She can creep along a Shore in pleaſant ſerene Weather, but there is an abſolute Neceſſity for her being laid up in the Winter.

The third is a *Barco Longo*, a wonder-working Veſſel before ſhe was bought, but ſoon afterwards all her Perfections vaniſhed. She ſails like a Hay-ſtack either in moderate or blowing Weather, and is heartily curſed by thoſe to whom ſhe is joined to cruize; however, ſhe has got a Captain and a Lieutenant with 60 Men for her Compliment, and 20 Extra's born as Supernumeraries. Notwithſtanding the Ships had many Men leſs than their Complement, yet every one of them in Proportion contributed their Mite to ſo promiſing an Equipment; and though there is no Precedent for recruiting his Majeſty's Ships abroad from home, ſo excellent was our Oeconomy, that the Men were contrived to be ſpared.

But, ſuch Men of War, who are ſcarce fit for any Purpoſe, are meer Burleſques, and a Diſgrace to the

Service, in which the Honour and Reputation of *Britain* is ſomewhat indangered, ſince every feeble, diminutive Veſſel is a Match for them.

From 1741, when the combined Fleets of *France* and *Spain* convoyed the *Spaniſh* Troops into *Italy* to march, 1744, there has nothing happened in the Proceedings of our Fleet, or that of the Enemy's, but what has been related, unleſs it be the great Quantity of Ammunition that was idly thrown away on the Coaſt of *Catalonia* and *Valentia*; which we have the Delicacy to omit dwelling upon the Particulars, to ſave the Commodore the Confuſion of a Bluſh.

M. de Court's *Journal from* Feb. 10. *to the* 27*th*, *ditto*, *N. S.*

The 19th.

THE *French* and *Spaniſh* Squadrons being in *Toulon* Road, got under Sail, fine Weather, moderate Gales, Wind at N. W. At 7 in the Evening all the Ships were under Sail, but the Admiral fearing their running aboard of one another, anchored with the Fleet under Saint *Margaret*'s at 10 in the Evening.

The 20*th*.

In the Morning ſaw the *Leopard* with the Rails of her Head, and gammoning of her Bowſprit gone, *&c.* Her Soldiers were taken out and diſtributed amongſt the other Ships; and ſhe went in again to the Harbour to refit; the Reſt of the Fleet got under Sail, Wind at Weſt, ſmall Breezes: Employed all Day in forming a Line of Battle upon a Wind, without the

the *Spaniards* being able to get into it, either becauſe their Ships went badly, or were badly managed.

The 21ſt.

At Sun riſing diſcovered the *Engliſh* Fleet under Sail, with the Wind off Shore about N. E. ſtanding out of *Hieres*'s Bay to the Number of 38 Sail. The Admiral made the Signal for the Line of Battle upon a Wind which was badly put in Execution; little Wind at N. N. W. with a great weſtern Swell, ſteered to meet the *Engliſh*, who were ſtanding towards us, with little Wind at E. N. E. the Winds variable from North-North-Weſt to Eaſt-North-Eaſt, but at laſt the Eaſterly Wind prevailed, unhappily for us.

In the Evening the *Engliſh* kept in Shore about the Diſtance of two Leagues off.

At eight in the Morning brought to under our Topſails with our Heads off.

The 22d ditto.

The Wind variable from the North-Eaſt to the Eaſt-North-Eaſt, *Cape Siccie* bearing N. E. by N. Diſtance about 8 Leagues, the *French* and *Spaniſh* Squadrons being about 2 or 3 Leagues to Leeward and aſtern of the *Engliſh*. Monſ. *de Court* made the Signal for the Line of Battle upon a Wind, the *Spaniards* compoſing the Rear, upon the Account of the nearneſs of the *Engliſh*, who were bearing down, their Rear being very much extended, ſo that from the headmoſt Ship of their Van to the ſternmoſt of their Rear the Diſtance was at leaſt three Leagues; our Fleet was alſo too much extended, and might take up about two Leagues. We obſerved that the *Engliſh* had about 30 Ships of the Line, whereof three from 84 to 90 Guns were in the Center of the Rear, three of 90, and two of 70 in the Center, and three from

from 84 to 90 in the Center of the Van, the reſt from 60 to 50.

At 1 in the Afternoon, the Fleets being in this Diſpoſition, the *Engliſh* Rear a great way off, the *Engliſh* Admiral a-breaſt of the Royal *Philip*, Commandant of the *Spaniards*, * Vice Admiral *Leſtock* a-breaſt of the terrible *Monſ. de Court*, at the diſtance of a large Gun-ſhot of 36 Pounds. Mr. *Mathews* the *Engliſh* Admiral, bore down ſhort with the main Body of the Battle, within a ſmall Gun-ſhot of the Royal *Philip*, and begun the Engagement very briſkly, In ſpite of all the Superiority of the *Engliſh* Ships, Don *Navarro* bravely bore the Fire for above three Hours, which was ſo terrible, that nothing was ſeen but Fire and Smoke. The Van of the *Engliſh* Fleet did not begin to Fire, till *Monſ. de Sorgues* fired a 36 Pounder at * Vice Admiral *Leſtock*, which reached him; then the *Terrible Serieux*, St. *Eſprit*, *Solide* and *Diamant* fired, but the latter left off the 18 Pounders, not being able to reach the *Engliſh*, who kept their Wind in ſuch a manner, that the three headmoſt Ships of their Van, never durſt come within Gun-ſhot; for this Reaſon all the other *French* Ships had it not ſo much as in their Power to engage. At three the Admiral made the Signal for the Van to tack, to come to the Aſſiſtance of the *Spaniards*, and cut off Monſ. *Mathews*, who by his bearing down, had expoſed himſelf to be placed between two Fires: Unfortunately for us the Signal was not immediately perceived, and was not put in Execution till very late; we were even obliged to make the *French* tack alltogether, to diſengage Don *Navarro* and the *Spaniards*, which made Mr. *Mathews* continue to have the Wind of us, and the Engagement to ceaſe with the Day; for the Night had as great a Share of that as the Approach of the *French*. Our Fleet being got toge-

* Rear Admiral *Rowley*.

together, lay to under our Topſails all Night: In this Engagement the *Spaniards* bore the Fire of the main Body and Rear of the *Engliſh* Fleet. The Royal *Philip* having with great Reſolution and diſtinguiſhed Bravery, made Mr. *Mathews* and his two Seconds abandon the Fight, cauſed a Fireſhip that was ſent againſt him to blow up, out of which four Men only were ſaved; and ſhot away a 90 Gun Ship's main and mizen Maſts: Don *Navarro* had two ſlight Wounds, Mr. *de Girandin*, Captain of the Colours, was mortally wounded, and 500 Men killed and wounded. The *Spaniſh* Ship the * *Powerful* of 60 Guns, Don *Quient* Captain for two Hours, bore the Fire of five Ships of 60 Guns within Muſket Shot; loſt her main Maſt, and fore and mizen Topmaſts, and remained between both Fleets: The *Engliſh* ſent to take out the Captain and the Boatſwain, and left an Officer and 20 Men on board of her, whom they durſt not ſend to fetch away again, ſeeing the *French* rejoin this Ship.

The 23d.

At Sun riſing the Wind at North Weſt light Breezes, ſaw the *Engliſh* Fleet about 4 Leagues to Windward, and made *Cape Sicie* N. N. E. about 13 Leagues. The *Hercules*, a *Spaniſh* Ship, being within Gun-ſhot of the *Engliſh*, engaged about an Hour, made up to her Aſſiſtance, and ſhe rejoin'd us, but not without ſome Damage. The *Engliſh* Fleet bearing down upon ours, tack'd upon the *Powerful* to take Poſſeſſion of her, and at Noon brought to, under our Topſails, Wind at N. E. light Breezes: The Admiral ordered the *Diamant* to take out as many of the *Powerful*'s Crew as ſhe could, ſeveral other Ships alſo ſent their Boats; at 1 o'Clock no body being left on board, the Admiral's Officers ſet her on Fire, and the *Diamant* made Sail to put the *Spaniards* on board of Don *Navarro*. At 2 o'Clock the Fleet bore

* In *Spaniſh* called the *El Poder*.

bore away before the Wind in the Line of Battle; in the Evening the *Engliſh* Fleet haled their Wind, at 9 ditto ſaw the *Powerful* blow up.

The 24th.

At Day-break the Winds variable from North-North-Weſt to North-North-Eaſt, freſh Gales and a great Sea, the Fleet was obliged to bear away ſteering Weſt-South-Weſt, ſaw nothing of the *Engliſh*; a *Spaniſh* Ship having her Topmaſts carried away, and ſeveral others damaged, ſteer'd South-Weſt with an eaſy Sail, becauſe the *Royal Philip* being towed by the *Iſabella*, was afraid of ſtraining too much the Ship or Maſts.

At 4 in the Afternoon made *Cape Creux*, diſtance about five Leagues brought to, Wind at Eaſt-North-Eaſt ſtrong Gales, all the *Spaniards* being damaged, continued their Rout to look for a Place of Shelter where they might refit.

The 25th.

At Day-break no *Spaniſh* Ship in Sight, Wind at N. E. freſh Gales, ſteered to reach the Coaſt of *Spain* to ſee for the *Spaniards:* Run under an eaſy Sail all Night.

The 26th.

At Sun riſing ſaw the Iſland of *Majorca*, Wind from South-Eaſt, to Eaſt-South-Eaſt, freſh Gales; continued our Courſe at South-Weſt, under an eaſy Sail all Night.

The 27th.

At Sun riſing made the Iſland of *Belgran* Eaſt Diſtance ſix Leagues, crowded Sail, the Wind at North, a fine Gale, ſteering Weſt and by South along the Coaſt; at five in the Evening anchored in the *Alicant* Road.

N. B. *The aboveis a true Copy which came from* Marſeilles, *procured there, from the Secretary to the Marquis* de Mirepoix, *Commandant of* Provence, *to whom the Original was addreſſed, by Monſ.* de Court *from* Alicant.

Additional Signals *made uſe of by our* Fleet *in the* Weſt-Indies, *under the Command of Admiral* Vernon.

BY DAY.

WHEN I make the Signal for the Line of Battle in the Morning, if I would have every Ship to keep half a Mile Diſtance from each other for our better extending ourſelves to ſee all that paſſes, I will hoiſt a Yellow Flag at the mizen Peek under the Signal for the Line of Battle.

When I ſhall hoiſt a White Flag at the Foretopmaſt-head with a Gun, I would have all Ships come in near me, for our not loſing Company in the Night.

And when any one finds himſelf to Leeward of me, he is to make ſail and ply to Windward, for getting nearer to me, which I ſhall make his Signal to do, if I obſerve he neglects to do it.

When you make the Signal for ſeeing a Sail, if it be to the N. W. at the ſame Time hoiſt a Jack at your Foretop-gallant-maſt-head; If it be to the S. W. the ſame your Mizen Topmaſt-head; if to the N. E. a Pendant at the Foretop-gallant-maſt-head; and if to the S. E. the ſame at your Mizen Topmaſt-head.

BY NIGHT.

Whereas the Night Signals in the general Inſtruction Book for lying by, or making Sail after lying by, are Signals generally conceived for bad Weather; and ſo, for being better diſtinguiſhed, are directed to be made with a great Number of Guns, which, in moderate Weather, and our preſent cruizing Station, might be inconvenient: You are therefore hereby *required* and *directed* to *obſerve*, that when ſailing upon a Wind, I would have the Squadron brace to lie by, I will hoiſt two Lights under my Light in the Maintop, and fire one Gun, when the ſternmoſt Ships are to begin to brace to firſt; and when I would have the Squadron to make Sail, after lying by, I will fire two Guns without Alteration of Lights, when the headmoſt are to fill firſt, and go with an eaſy Sail till I get a-head of them, that they may the better judge what Sail to keep me Company with.

In Caſe *of ſeeing* Ships *in the* Night.

*Chace to the N. E. * The Signal for ſeeing a ſtrange Ship in the N. E. Quarter ſhall be by hoiſting one Light where you think I can beſt diſcern it.

** N. W. ** Two Lights one under the other.

† S. E. † Three Lights one under the other.

†† S. W. †† Four Lights one under the other.

And you are to keep the Signal out till I anſwer by ſhewing another Light, or if I ſhould not anſwer it ſoon, you are to fire a Gun for my taking Notice of it. And if there be more Ships than one, when I have anſwered your Signal, you are to make as many falſe Fires as you ſee ſtrange Ships.

And

And if I would have you chace * that Way, I will fire a Gun after I have anſwered your Signal with the Lights; and upon your giving Chace towards the ſtrange Ship or Ships you are to carry a Light in your Stern Lanthorn, and keep it out till you come up with the Chace; or if I ſhould make your Signal for leaving off Chace, ** which ſhall be by firing two Guns, without Alteration of Lights.

* to chace.

** leave off chace.

In Caſe *of* Engaging *an* Enemy *in the* Night.

† Shall be for each Ship carrying two Lights of an equal Height hoiſted up at the Mizen Peek, and two more Lights of an equal Height at the Bowſprit End.

† know each other

†† Shall be by my ſhewing two Lights of an equal Height over my Light in the Main-top, and firing a Gun, and carrying the diſtinguiſhing Lights when each Ship is to carry her diſtinguiſhing Light, and get into her reſpective Station.

†† Line of Battle in Night.

Whereas the Night-ſignal, in the general Inſtructions, is by hailing, which, in many Caſes, might prove inconvenient, the Signal for knowing each other in the Night, ſhall be for the weathermoſt Ship to hoiſt the diſtinguiſhing Lights, where they can beſt be ſeen, § which are two Lights of equal Height, and the Leewardmoſt in like Manner, to ſhew three Lights of equal Height, where they can beſt be ſeen.

§ Loſing Company and meeting again.

An additional Inſtruction *to be added to the fighting* Inſtructions.

In caſe of meeting any Squadron of the Enemy's Ships, whoſe Number may be leſs than thoſe of the

Squadron of his Majeſty's Ships under my Command, and that I would have any of the ſmaller Ships quit the Line, I will, in ſuch Caſe, make the Signal for ſpeaking with the Captain of that Ship I would have quit the Line; and, at the ſame Time, I will put a Flag ſtriped yellow and white at the Flag-ſtaff at the Maintopmaſt-head; upon which the ſaid Ship or Ships are to quit the Line, and the next Ships are to cloſe the Line, for having our Ships of the greateſt Force to form a Line juſt equal to the Enemy's: And as upon the Squadrons engaging, it is not to be expected, that the Ships withdrawn out of the Line can ſee or diſtinguiſh Signals at ſuch a Juncture; it is therefore ſtrictly enjoined and required of ſuch Captain or Captains, who ſhall have their Signal or Signals made to withdraw out of the Line; to demean themſelves as a *Corp de Reſerve* to the main Squadron, and to place themſelves in the beſt Situation for giving Relief to any Ship of the Squadron that may be diſabled, or hardeſt preſſed by the Enemy, having in the firſt Place a Regard to the Ship I ſhall have my Flag on board, as where the Honour of his Majeſty's Flag is principally concerned; and as it is morally impoſſible to fix any general Rule to Occurrences that muſt be regulated from the Weather, and the Enemy's Diſpoſition, this is left to the reſpective Captain's Judgment that ſhall be ordered out of the Line to govern himſelf by, as becomes an Officer of Prudence; and as he will anſwer the contrary at his Peril.

MEMORANDUM.

That whereas all Signals for the reſpective Captains of the Squadron, are at ſome one of the Maſt-heads; and as when we are in a Line of Battle, or in other Situations, that it may be difficult for the Ships to diſtinguiſh their Signal; in ſuch Caſe you are to take Notice, that your Signal will be made, by fixing the Pendant higher upon the Topgallant Shrouds,

Shrouds, ſo as it may be moſt conſpicuous to be ſeen by the reſpective Ship it is made for.

A Second *additional* Inſtruction to the fighting Inſtructions.

If at any Time after our being engaged with any Squadron of the Enemy's Ships, the Admiral ſhall judge it proper to come to a cloſer Engagement with the Enemy, than at the Diſtance we firſt began to engage, the Admiral will hoiſt a *Union* Flag at the Main-top-maſt head, and fire a Gun on the oppoſite Side to which he is engaged with the Enemy, when every Ship is to obey the Signal, taking the Diſtances from the Center; and if the Admiral would have any particular Ship do ſo, he will make the ſame Signal, with the Signal for the Captain of that Ship.

And in caſe of being to Leeward of the Enemy, the Admiral will, at the ſame time he makes this Signal, hoiſt the yellow Flag at the Foretopmaſt-head for filling and making Sail to Windward.

And during the Time of Engagement, every Ship is to appoint a proper Perſon to keep an Eye upon the Admiral, and to obſerve Signals.

For preventing all Hazards from our running thro' each other in the Night, a Practice contrary to the eſtabliſhed Rules in your general Inſtructions, you are hereby required and directed, to give written Orders to all your Lieutenants for governing themſelves by the Rules preſcrib'd in them upon all Signals made by me for tacking and wareing in the Night, that they may not plead Ignorance of them; and particularly to take care that all the Ships in my Wake, tack as ſoon as conveniently they can, after the Signal is made, that I may have room to do ſo; Given under my Hand, on Board his Majeſty's Ship the

FINIS.

A Memorandum Paper for what Signals may be moſt likely

To ſet the ſame Sail the Admiral does

For the reſpective Ships whoſe Signal is made with it, to quit the Line

For coming to a cloſer Engagement with the Enemy

For the Ships in the Van to fill and ſtand on

To engage the Enemy

For the Van of the Fleet to tack firſt

For the Rear of the Fleet { To brace firſt / To tack firſt }

When ſailing large to bring to { Starboard / Larboard } { tack } on the

To draw into a Line of Battle { a-head of one another / a-breaſt of each other }

To draw into a Line of Battle, a-ſtern of each other when ſailing with a large Wind, and the Admiral would have thoſe to lead who are to lead with the { Starboard / Larboard } { tacks }

N. B. The Gun to be fixed with the Signal will always be fired on the oppoſite ſide, to which the Admiral is engaged with the Enemy

For any particular Fireſhip to board and fire any of the Enemies Ships

to be uſed in Caſe of coming to Action with the Enemy.

Maintopmaſt Head.	Foretopmaſt Head.	Mizentopmaſt Head.	Mizen Peek.
A yellow Flag A Flag ſtriped yellow and white. An unionFlag			
	A yellow Flag A red Flag An unionFlag or Jack		
		A yellow Flag An unionFlag or Jack. A red Flag A blue Flag	
			An unionFlag An unionFlag with a Pendant under it A red and white Flag. A *Genoeſe* Flag.
		A Flag ſtriped yellow and white hoiſted with that fire-ſhip Signal	

Books printed for and ſold by JOHN MILLAN, *near* Whitehall.

1. BY Authority, from the Originals on ſeven Imperial Sheets, preſented by Vice Admiral Leſtock, to the Hon. Houſe of Commons. The Situations, Views, and Poſitions, in the late Engagement, &c. near Toulon, between his Majeſty's Fleet, and the combined Fleets of France and Spain; on the 11th, 12th, and 13th of February, 1743-4. With hiſtorical and critical Remarks and References engraved on each Plate.

2. The Hiſtory of the Mediterranean Fleet from 1741, to 1744; with Cuts, &c. viz. Original Letters and Papers between Adm——l M——ws and Vice Adm——l L——k, with ſeveral Letters from private Hands, exhibiting many Particulars hitherto unknown, of the Tranſactions in the Mediterranean: With Remarks on, and Anſwers to the Narrative of the Fleet from 1741 to 1744. Eſpecially on the Author's Partiality and great Liberties, with the Characters of ſome Commanders; alſo ſome Obſervations on the Conduct of the Breſt Fleet, *&c.*

3. Vice Adm——l L—ſt—k's Account of the late Engagement near Toulon, between his Majeſty's Fleet, and the Fleets of France and Spain; as preſented by him the 12th of March, 1744-5. Alſo Letters to and from Adm——l L—ſt—k, relating thereto, ſince his Arrival in England.

4. Admiral Mathews's Charge againſt Vice Admiral Leſtock, diſſected and confuted, by a King's Letterman.

N. B. The Impartial Journal and the Particular Account, and Admiral Mathews's Account, publiſh'd by Authority, are included in their proper Places, in this third Edition of the Narrative.

5. A Fan Mount, repreſenting the Britiſh Fleet at Anchor, and all their proper Flags, &c.

6. Millan's Eſtabliſhment of the Army and Navy, &c. for 1745.

ORIGINAL

LETTERS

AND

PAPERS,

BETWEEN

Adm-------l *M*-------*WS*,

AND

V. Adm------l *L*-------*K*.

WITH

Several LETTERS from Private Hands,

EXHIBITING

Many PARTICULARS hitherto unknown of the Tranſactions in the *Mediterranean*.

WITH

REMARKS on, and ANSWERS to the *Narrative of the Fleet, from* 1741 *to* 1744.

Eſpecially on the

AUTHOR's Partiality and Great Liberties with the Characters of ſome Commanders.

ALSO,

Some OBSERVATIONS on the CONDUCT of the *Breſt* Fleet, *&c.*

LONDON:

Printed for M. COOPER, at the *Globe* in *Pater-noſter-Row*.

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INTRODUCTION.

IN *March* an Account was publiſhed by Authority of the late Engagement near *Toulon*, between His Majeſty's Squadron and the Combined Fleets of *France* and *Spain*, which was thought to be obſcure and unintelligible: a Reflection, which the Gentleman that diſpatch'd the Courier may not have juſtly deſerv'd, ſince it is evident, we had only the Subſtance of his Account; and nothing is more likely, than that it was mangled and made imperfect by another Hand, before it was ſent to the Preſs for the Information of the Public. Many other Accounts contain'd in Letters from Sea-Officers, *&c.* to their Friends, were induſtriouſly publiſhed, and ſpread abroad; but as they were contradictory and inconſiſtent with each other, there could be no dependence on them.

THEN a ſmall Pamphlet made its appearance, intitled, *An Impartial Journal of what paſſed between A——l* M———ws *and the Combined Fleets of* France *and* Spain. But in the ſame Month, its Name was

changed to, *A particular Account of the late Action in the* Mediterranean. By a *Marine* Officer, (*very expert in Naval Affairs,*) under pretence that the firſt Edition, for fear of giving offence, had been curtail'd by the Bookſeller. But the Author's Friend had printed it Word for Word, marking the former Omiſſions; which Relation gave no quarter to many Officers, who, ever before, were generally eſteemed, and had given Proofs of their Conduct and Reſolution. In theſe inaccurate fictitious Accounts the Author's private Purpoſe in ſome meaſure was ſerv'd, at the ſame time that the Profit of the Bookſeller or Publiſher was contrived; which however could not be of any Duration. So many bitter and rude Reflections interwoven in an Hiſtorical Account, to ſay the beſt of them, are unmannerly Digreſſions; and tho' they may divert or ſubſiſt a momentary Time, yet they never fail of ſubſiding, and at laſt become to every ſenſible and reaſonable Man a ſure Indication of the Author's Prepoſſeſſion and Prejudice. Encouraged beyond the uſual Run of ſuch partial Accounts, or becoming abſolutely deſperate that theſe Accounts had not all their deſired Effect, perhaps our *Marine* Officer was induced to throw off the Maſk, and take up his own Character, that of the

the Sea-Officer; in which he publiſhes a Narrative of the Proceedings of His Majeſty's Fleet in the *Mediterranean*, and the combined Fleets of *France* and *Spain* from 1741 to 1744, *&c.*

TO pave its way, to ſecure Succeſs and Credulity, it was introduced with an uncommon Dedication to the Noble Lord who preſides at the Admiralty Board; affirming, he will diſcover himſelf to be chaſtiſed, if ever any of the Tranſactions which he has there repreſented, are proved to be falſe; and as a Stratagem to conceal himſelf, he pretends to be abroad in the Fleet, ſo that upon ſuch an occaſion he muſt be ſent for home from the *Mediterranean*.

THIS Author, who profeſſes great Impartiality, aſſerts he advances nothing where Evidence and Conviction are wanting; and writes purely for the ſake of Truth, and the Satisfaction of the Public. He vindicates A———l *L*———*ck*, and openly throws the Blame and the Miſcarriage on the Conduct of Mr. *M*———*ws*. The ſeveral Imputations and acrimonious Invectives in the *Particular Account*, are in the *Narrative* at large improved upon, without any Ceremony

mony they are directly aimed and pointed. He gives a Character of Ad——l *L*———*ck* in Words, which expreſs the Abilities of the greateſt General, or Admiral, that ever lived. Not that it is our purpoſe to diminiſh the eminent Services, Judgment and Knowledge of that Admiral; but when we read that Character, and compare it to that which is expreſs'd in *Italicks*, Page 81, 82, of the *Narrative*; we are fill'd with Indignation, and can have no opinion of the Impartiality and honeſt Intention of the Author, who depreſſes the Character of any Man at the Expence of his own; eſpecially that of an Admiral, who is ſo well known, to want neither Skill, Courage, nor Integrity.

SINCE the Account by Authority has been condemn'd as obſcure, and all the other Accounts have been thought to be partial and malicious; ſince we agree with the *Narrative*, Page 8. 'That either the one or the other 'muſt be to blame, the Superiour in depriv-'ing His Majeſty of the Service at this time 'of ſo able and brave an Officer, or the 'Inferiour in doing ſomething deſerving of 'this Cenſure; and until the Papers, which 'have paſſed between them, are publiſhed, or 'an Enquiry can be made, we muſt ſuſpend

'our

' our Judgment.:' In juſtice therefore to an injured People, who have a right to all the Knowledge and Satisfaction that can be given them; what is here offer'd for their Information, conſiſts of the genuine and authentic Letters and Papers, which paſſed between the contending Parties: From thence the Impartial will be able to form a Judgment. Likewiſe, there are private Accounts of the late Action, written by Sea-Officers of unexceptionable Reputation and Veracity, not led by Prejudice or Partiality to either Party, or any other Cauſe and Intereſt than that of Truth; and, on a ſuitable Occaſion, are willing and ready to avow what their Honour and Conſcience have dictated to them.

A MISCARRIAGE ſo pernicious and fatal in its Conſequences to a Nation, tho' groaning under a heavy Load of Debt, and the moſt grievous Taxes, always chearfully contributed towards the Support of the Government, and now to the Maintenance of the War with Firmneſs and Reſolution, an Example to Poſterity, the Reputation and Honour of Officers, whoſe eminent Stations probably may have been purchaſed by long Services, much Bloodſhed, and many Wounds,

the

the Service of the Crown, and the Good of the Community, require an impartial Examination with the ſtricteſt Scrutiny into ſo notorious a Neglect of the Public Service.

UNTIL an Enquiry of this Importance is ſet on foot, where it is not to be doubted but that every Tranſaction will be fairly ſtated and diſcuſſed, every Reflection and Stain wiped off, or confirmed and corroborated; we have taken the liberty to undeceive the Unwary, by expoſing the Miſrepreſentations and Aſperſions of the *Narrative*; alſo added ſome Obſervations on the Conduct of our Navy in general.

ORIGINAL

ORIGINAL

LETTERS

BETWEEN

Adm------l *M*------*WS*,

AND

V. Adm------l *L*------*K*.

Adm——*l* M——WS *to V. Adm*——*l* L——K.

SIR, *Ruſſel*, at Sea, the 12th *February* 1743.

I AM exceedingly ſorry you did not judge proper, when I had made the Signal to engage the Enemy, to bear down yourſelf, or at leaſt to have made the Signal for a ſufficient Number of your Squadron, to have endeavoured to cut off the five *Spaniſh* Men of War, that were in the Rear of the *Spaniſh* Admiral. Such an extraordinary Proceeding of yours greatly

ſurprizes me, and I hope you will be able to give me a very good Reaſon for ſuch your Conduct.

IN caſe we ſhould ſee the Enemy, when I make the Signal for the Line of Battle a-head of each other, you are to lead with your Squadron; let it be with the Starboard or Larboard Tacks, in regard the Rear Admiral's Maſts are much wounded; and for ought I yet know, ſo may be the *Princeſs Caroline*'s, and *Chicheſter*, who were engaged with him. I am,

SIR, *Your moſt Obedient Servant,*

T—— M——ws.

To R——d L——k *Eſq*; &c.

Adm—l M——ws's *Letter which accompanied his* Queries *to V. A—l* L——K.

SIR, Namur, *off* Mahon, 20*th* February, 1743.

I WRIT you a Letter the 12th Inſtant, to which I have had no Anſwer; I judge it my Duty to ſend you the incloſed Queries, which I deſire you will be pleaſed to anſwer, and tranſmit to him, who is,

SIR, *Your moſt Obedient*

Humble Servant,

T—— M——ws.

To R——d L——k *Eſq*; &c.

Vice-

Vice-A——l L——K's *Letter, and Anſwer to the above Letters of Ad——l* M——ws.

SIR, Neptune, *off* Mahon, 21*ſt* February, 1743.

I RECEIVED your Letter of Yeſterday's Date, wherein you take Notice of your having written to me of the 12th Inſtant, to which I had given you no Anſwer: I now own the Receipt of that of the 12th, together with the Queries, which I have anſwered, Part of which anſwers your Letter of the 12th Inſtant. I am,

SIR,

Your moſt Obedient

Humble Servant,

R——D L——K.

To the Honourable A——l M——s.

Queries ſtated by Adm——l M——ws.

The Firſt Query.

DID you not ſee the Signal out for the Line of Battle, when I made the Signal for bringing to, the 10th Inſtant at Night?

Second.

WAS it not your Duty to have brought to, in the Line of Battle, agreeable to the Signal then out?

Third.

YOUR Reaſon for bringing to, with your Diviſion, at leaſt five Miles to Windward of me, the doing of which you muſt know would make you be (as the Wind was then) that Diſtance a-ſtern of me, as you was when we made ſail.

Fourth.

DID you not ſee the Signal made by me, to engage the Enemy, your Reaſon for not repeating the ſaid Signal, and endeavouring to cut off the four ſternmoſt Ships of the Enemy, and for not making the Signal for any of your Diviſion to perform that Service; eſpecially as you

Anſwered by Vice-A——l L——k.

Firſt Anſwer.

IT being dark, we could ſee no other than the Night-Signal to bring to.

Second.

AS a Proof that we were in the Line with you, I think we were within four Miles of the Enemy; and all my Officers that took any notice affirm, that we were not above three Miles from the Enemy, when we brought to. Several of the *Spaniſh* Ships edg'd from us ſoon after we brought to.

Third.

I MUST repeat again, that I was in the Line with you, when we brought to, the Wind at that time was at E. S. E. at 10 o'Clock it came to E. N. E. at 12, to N. E. at 2, to N. N. E. and continued ſo till 8 o' Clock in the Morning, which brought us to Windward of you.

Fourth.

WE did ſee you make the Signal to engage the Enemy, which is never to be repeated, as may be proved by the Words of the 13th Article of the Fighting Inſtructions, beginning with the Words; "As ſoon as the Admiral ſhall "hoiſt a Red Flag on the Flag-Staff, at the "Fore-

The Fourth Query.

you had clean Ships in your Diviſion; and alſo your Reaſon for ſhortning Sail, and altering your Courſe by haling upon a Wind.

T. M——ws.

Namur, *off* Mahon-Harbour, *the* 20*th* February, 1743.

A——?

The Fourth Anſwer.

" Foretopmaſt-Head and fire a Gun, every " Ship in the Fleet is to uſe their utmoſt En- " deavour to engage the Enemy, in the order " the Admiral has preſcribed unto them." Which Article leaves no room for its being repeated; for where repeating is neceſſary, every Article expreſſes it ſhall be repeated. And as I have been in two General Battles, I do affirm, that the Signal for Battle was not repeated in either. In that off *Malaga*, I was Lieutenant to the Admiral of the *White*, who did not repeat it, nor did any other Flag-Ship, either *Engliſh* or *Dutch*.

IT was impoſſible for me to make more Sail than I did; thoſe of my Diviſion a-ſtern of me, made all the Sail they could, none of which could come within Shot of the ſternmoſt of the Enemy's Ships; thoſe of my Diviſion, that were a-head of me, were the *Dunkirk* and *Cambridge*, both which Ships could have made more Sail, but they kept to Windward of their Station, particularly the *Dunkirk*. And tho' there was but little Wind with a Swell, yet as they ſailed well, it was my Opinion, they might have ſtopt thoſe four Ships of the Enemy, until I and my Diviſion got up; therefore I fired a Shot to Windward of them, and at the ſame time made the Captain of the *Dunkirk*'s Signal, but to no purpoſe.

I KEPT bearing down, until I found I ſhould not be more than able to get into the Wake of the ſternmoſt Ship of the Enemy. Farther, to divert her from getting up to the Protection of the *Spaniſh* Admiral, as the only Remedy left me to bring on an Engagement, at the diſtance I was off, I fired a Broadſide; ſhe return'd it, ſheer'd farther from me, and made more Sail towards the *Real*.

IN this Situation you haled down your Signal to engage, and made the Signal to leave off Chace. I immediately ſhortned Sail; you haled your Wind, I did the ſame; as it appeared to me to protect the Rear-Admiral and his Diviſion, the Van of the *French* Fleet being then tackt, and endeavouring to double upon him.

FROM the time you bore down upon the *Real*, till the time you made the Signal to leave off Chace, the little Wind and the Diſtances of the Ships a-ſtern of me, put it out of my power to direct the clean Ships, *viz. Elizabeth*, *Buckingham*, and *Revenge*, to go a-head of me: for from that inſtant you bore away, it appeared to me, that all the Sail they could make was then abroad, and continued ſo. Conſequently before this time, when I neither knew, nor ſaw, that you intended to attack the *Spaniards*, which, according to the Line of Battle, ſhould have fallen to my ſhare, it did not become me, to

make any Alteration in your Line, as by Signal then abroad: But had you been pleaſed to have dropt a Boat with your Directions to the Ships of your Diviſion, and mine, between you and me, to have attack'd the four mentioned Ships of the Enemy, they would have forced them aſtern, for our coming up.

R——D L——K.

Neptune, *off* Lair Mahon, *the* 21*ſt* February, 1743.

C *A——l*

A———l M———ws his Letter, which accompanied his Replies, to Vice-A———l L———ck's Anſwer to the Queries.

SIR, Namur, *in* Mahon *Harbour, 4th* March, 1743.

YOU have herewith my Replies to your Anſwers to the Queries I judg'd proper to deſire you to anſwer; and 'tis with concern, that I do not judge them ſatisfactory. I hope you will be pleaſed to conſider well my Replies to them, and to anſwer them ſo ſoon as you ſhall have ſo done. I am,

SIR,

Your moſt humble Servant,

T——s M——ws.

To R——d L——ck *Eſq.* &c.

A———l M———ws's Replies to Vice-A———l L———ck's Anſwers to the Queries.

BY the *Namur*'s Logg-Book the Wind was at E. N. E. when we brought to the 10th of *February*; and from Ten o'clock that Night to Six the next Morning, from the N. E. by N. to N. E. *Query*, Whether you ought not to have kept the Line? Notwithſtanding the Alteration of

of the Wind, ſince it was in your power to have done it; inſtead of being at Break of Day, full five Miles in the Wind's Eye of me; conſequently ſo many Miles a-ſtern, when I made Sail, which is notorious to the whole Fleet.

IT's true, that the 13th Article of the Fighting Inſtructions does not mention, that the Signal for engaging the Enemy ſhall be repeated by the other Flag-Officers; but I have reaſon to believe, that every Captain in your Diviſion, for want of your having repeated it, as Rear-A——l *R——wl——y* did, judg'd he was to keep the Line, and not to make Sail a-head of you, in order to engage; which many of them could and would have done, had they not expected your repeating the Signal.

Query, WHY did you not ſet your Studding Sails, and order the Sailing-Ships of your Diviſion to make Sail, and engage the four Sternmoſt Ships of the Enemy, particularly the *Elizabeth*, *Buckingham*, and *Revenge?* And why did you ſuffer any of your Diviſion to ſhorten Sail? You ſay, that the *Cambridge* and *Dunkirk* could have made more Sail, and engaged the four Sternmoſt Ships; and that you fired a Shot at the *Dunkirk*, and made her Commander's Signal, but all to no purpoſe; for that he ſtill kept to Windward of you, as did the *Cambridge* likewiſe. *Query*, Why did you not make the Commander of the *Cambridge*'s Signal alſo? And why

did you not ſend your Lieutenants to command thoſe two Ships, when you judg'd their Commanders did not do their Duty; and you muſt have ſeen, that the Service ſuffered by their ill Behaviour? Surely it would have been right to have done ſo, and I ſhould have thanked you heartily for it; for in the Situation I was, I could not poſſibly ſee what was doing a-ſtern of me. You are pleaſed to ſay, that you fired a Broad-ſide at the four Sternmoſt Ships, and that the Enemy returned it: I take it for granted, that you judg'd yourſelf to be within Gun-ſhot of them, elſe you would not have fired; tho' it ſeems all your Shot fell ſhort of them. You are likewiſe pleaſed to give me for Anſwer to the laſt Part of my fourth and laſt *Query*, viz. that you left off purſuing the Enemy, and clap'd upon a Wind, in order to protect the Rear-Admiral, *&c.* I muſt confeſs, that I am not a little ſurprized at the Reaſon you are pleaſed to give me, for breaking the Line of Battle, and quitting the Enemy, ſo near you as thoſe four Ships were by your own Confeſſion. Had I judg'd Rear-A—l *R*———*y* in ſo great Danger, as you ſeem to inſinuate him to have been in, there is a proper Signal to be made for that Service by the commanding Officer. I muſt take leave to affirm, that had you not clapp'd upon a Wind with your whole Diviſion, by all the Accounts I have received, you and your Diviſion (tho' not all your Sail abroad) might, and muſt have engaged theſe Sternmoſt Ships of the *Spaniards*, in one

Quarter

Quarter of an Hour at leaſt, by which means the *Real* could not have eſcaped me, as I was within Muſket-ſhot of her, when all the Sternmoſt Ships of the Enemy came up and tore me to pieces: And I muſt add, that your Neglect of that Piece of Service was obvious and plain; and it's certain, that all the Captains in your Diviſion judg'd they were to follow you, notwithſtanding the Signal for engaging the Enemy was out. I muſt take leave to ſay, that if you had been pleaſed to have undeceived them on that head, it would have been doing, not only the Duty of an Officer, but likewiſe a friendly Part to me. To conclude, I muſt take leave to tell you, that I am greatly concern'd to find you judg'd it was neceſſary for me to have dropt a Boat a-ſtern to order, not only thoſe Ships of my Diviſion a-ſtern of me, but likewiſe thoſe of yours (which are in the Line of Battle a-head of you) to do their Duty. The Situation I was in at that time, did not permit me to ſee that ſuch Orders were neceſſary; but why did you not do it, who was at leiſure, and tell me that ſuch Orders were neceſſary? yet, acted contradictory to your Judgement, by firſt ſhortening Sail, and ſoon after clapping upon a Wind. It therefore appears to me, that you was willing to aſſiſt me with your Judgement in doing what was not in your power to do, *viz.* to go to the Aſſiſtance of Rear-Ad——l *R—wl—y*, yet you would not aſſiſt me when it was abſolutely in your power, *viz.* by ordering the Ships in the Rear of my Diviſion to

bear

bear down upon the Enemy, to prevent their getting up to the Aſſiſtance of the *Real*, and all of them attacking the *Namur*. This, Sir, is under your Hand; but what is more extraordinary, you would not yourſelf do it, or order any of your Diviſion, to do what you are pleaſed to tell me I ought to have done; and I take leave to affirm, that it was abſolutely in your Power to have prevented the Enemies Ships getting up to me, either by diſabling them, or obliging them to put afore it. In either of the two Caſes the *Real* muſt have been burnt by the Fireſhip (being when ſhe blew up within Piſtol-ſhot of her, and, as I am credibly inform'd, muſt have ſunk by the Shot ſhe received from thoſe Ships of the Enemy had ſhe not blown up) or have fallen into my Hands, as I was at that inſtant of time within Muſket-ſhot of her.

T——s M——ws.

Namur, *in* Mahon *Harbour*,
the 4th March, 1743.

A——l

A——l M——ws's *Letter to Vice-A——l* L——ck, *requeſting an Anſwer to his Replies.*

SIR, Namur, *in* Mahon *Harbour*, 15*th* March 1743.

AS I cannot cloſe my Packet till I receive your Anſwer to the *Queries* I ſent you the 4th Inſtant; and it is neceſſary that I ſhould diſpatch a Ship away with the Meſſenger without Loſs of Time; I deſire you will be pleaſed to return me your Anſwers to the ſaid *Queries*, as ſoon as you conveniently can. I am,

SIR,

Your moſt humble Servant,

T——s M——ws.

Vice-A——l L——k's *Anſwer to the preceding Letter.*

SIR, Neptune, Mahon-Harbour, 15*th* March, 1743.

I HAVE yours of this Date, ſetting forth, you cannot cloſe your Packet, until you receive my Anſwers to your Queries of the 4th Inſtant.

THE three Days conſtant Attendance at Courts-Martial, took up ſo much of my Time, that it has prevented me being able to ſend them; and

and as you hinted to me, to conſider well your Replies, it has made me the more circumſpect in my Anſwers, which are almoſt finiſhed; and I hope will be ſo by to-morrow Morning. I am,

SIR, *Your moſt Obedient,*

Humble Servant,

R——D L——K.

To the Honourable A——l M——s.

Vice-A——l L——K*'s Letter which accompanied the following Rejoinder to A——l* M——S.

SIR, Neptune, *in* Mahon-Harbour, 16*th* March, 1743.

AFTER you had received my Anſwers to your Queries thirteen Days, I did not expect any ſuch Replies, with ſuch an Addition of new Matter; which, however, gives me the Satisfaction, that it has prepared me for the worſt that can come from you. I hope you will do me the Juſtice to weigh well, and conſider this Rejoinder to your Replies. I am,

SIR,

Your moſt Obedient,

Humble Servant,

R——D L——K.

To the Honourable A——l M——s.

V. A—l L—K's *Rejoinder to A—l* M—ws's *Replies.*

THE *Namur*'s and the *Neptune*'s Logg-Book differ the 10th *February*, when we brought to. The Ship came up S. b. W. till 10 o'Clock; then ſhe came up S. E. off S. S. E. At 12, ſhe came up E. S. E. off S. E. At 3, ſhe came up E. off E. S. E. and continued ſo, until we made Sail at half paſt 5 o'Clock in the Morning, before you made the Signal to make Sail.

IN anſwer to your Query in this Paragraph, which has been already anſwered in my Anſwers to your Queries, I ſhould be glad to know, as you found it ſo late in the Night, as to be obliged to make the Night-Signal to bring to, whether it was poſſible for the *Neptune* to ſee a Day-Signal abroad for the Line of Battle a-breaſt, (as you have not thought proper to appoint a Night-Signal for that purpoſe) and whether the laſt Signal is not to be comply'd with, even if it was in contradiction to the firſt? Neither did the Signal appear at Dawn of Day for the Line of Battle a-breaſt; for you did not think proper to make it again until 8 o'Clock; before which time two of your Lieutenants, on the back of one another, came on board of the *Neptune*. One told me, that you would lay by, until I came

up to close with you; and the other told me, that it was your Directions to me, to make more Sail. Upon which I bid him look aloft, and see whether it was in my power; all my Sail being then abroad, studding Sails and all. At the same time, he said, that you was very uneasy, that the Rear-Admiral with his Division did not make more Sail. And as an inconteſtable Proof that he was farther from you than the *Neptune*, you made the Signal for him that commands in the third Poſt to make more Sail, before you made the Signal for him that commands in the ſecond Poſt: At this rate, the *Neptune* and *Barfleur* muſt have been above 10 Miles aſunder, which I never can bring myſelf to believe. When I brought to, as I have already alledg'd, I was in the Line with you, and could go no nearer the Enemy, unleſs that I broke the Line, or you had been pleaſed to have given me your Directions to chaſe and engage the Enemy. At 5 o'Clock in the Morning, it appears by the *Neptune*'s Logg-Book, that the Enemy bore off her S. W. b. W. only diſtant 4 or 5 Miles: How ſhe then could be at Day-break, when you made Sail, right in the Wind's-Eye of you, full 5 Miles, " The Wind, by the *Namur*'s Logg-" Book, being from the N. E. b. E. to N. E. " and this ſo notorious to the whole Fleet," is a Matter of great Aſtoniſhment to me, and what I cannot allow; Notwithſtanding I have not conſulted any of the Fleet thereupon.

THE

THE Rear-Admiral's repeating the Signal to engage the Enemy, contrary to the Tenor of the 13th Article of the Fighting-Inſtructions, and all Precedent from our Predeceſſors, was no Precedent to the Vice-Admiral; neither does Reaſon oblige the Vice-Admiral to anſwer for the Expectations of the Captains of his Diviſion, when they are ſo unjuſtly grounded, and ſo inconſiſtent with Diſcipline and Service. But one would have imagined, that if you had intended that this Signal ſhould have been repeated, that while you made the *Manuſcript Addition* to this very Article, *viz.* "And ſtrictly charged to "take care not to fire before the Signal be given "by the Admiral," that you would have then ordered the Repetition of it by all Flag Officers.

THE Studding Sails continued abroad, long after you made the Signal for Battle, and were haled down for the *Torbay* to come up into her Station, (according to the Order of Battle that you had been pleaſed to preſcribe) which Ship, with every Sail ſet, could not get into it; tho' theſe Sails were not altogether ſo proper to engage with, the old Practice having been to furl the Main-ſail, to prevent firing the Ship. Neither do I apprehend, that as ſoon as this Signal appears abroad, it is a Juſtification, or an Authority to an Officer to break the Line, while the Signal for the Line of Battle is kept out, and to

engage the Enemy in Diſorder and Confuſion: No, my Underſtanding teaches me that this very Article binds every Officer to engage the Enemy, in the order the Admiral has preſcribed unto them. To what purpoſe then ſhould I have broke this Inſtruction, in contradiction to the Signal for the Line of Battle then flying; alſo in contradiction to the twenty-firſt and twenty-fourth Articles of theſe Inſtructions? *viz.*

21ſt.

"NONE of the Ships in the Fleet ſhall purſue "any ſmall Number of the Enemy's Ships till "the main Body be diſabled or run."

24th.

"NO Ship in the Fleet ſhall leave her Sta-"tion upon any Pretence whatſoever, *&c.&c.*"

AND to do this merely to fall into Confuſion by ſeparating from you to Leeward, without the Poſſibility of coming near enough, even to the Sternmoſt Ship of the Enemy to do any real Service, had ſhe or they kept afore it: Had I chaced ſo unthinkingly with my Diviſion, and in the mean time the *French* had made a proper uſe of my Indiſcretion, by coming upon you and Rear-A———l *R—wl—y*, when I could not get to Windward again, who would not have blamed me? I am ſure you yourſelf, Sir, would not have thought my Conduct juſtifiable, to have done

done this without a Signal: This would have been erring with my Eyes open; and then indeed with great Juſtice and Propriety, you might have retorted upon me, that had you judg'd it proper for me to have acted in this manner, there was a proper Signal to be made for that Service by the commanding Officer; and agreeable to which the twenty-ſeventh Article is very explicit, *viz.*

27th.

"IF the Admiral would have any particular "Flag-Ship and his Squadron, or Diviſion, give "chace to the Enemy, he will make the ſame "Signal, that is appointed for that Flag-Ship's "tacking with his Squadron or Diviſion, and "weathering the Enemy."

IT did not appear to me, that the Ships of my Diviſion a-ſtern of me, ſhortened Sail; and where I could not ſo well diſtinguiſh myſelf, my Officers, on whom I could depend, frequently informed me of this Truth; and as to directing the clean Ships to go a-head of me, particularly the *Elizabeth*, *Buckingham*, and *Revenge*, my Anſwer already to your fourth *Query*, leaves no room for you to demand any other. But ſuppoſing, Sir, that theſe Ships, contrary to my Obſervation, did ſhorten Sail at times, to keep in the Order of Battle, according to the Line, either before or after that you engaged; yet, nevertheleſs, I had no authority to alter your Diſpoſition. The

twenty-

twenty-fourth Article of the Fighting Inſtructions injoins every Ship to keep her Station; and that, nor no other Article, impowers an inferiour Flag-Officer to direct any Breach of it, upon any pretence whatſoever; while the commanding Admiral keeps abroad the Signal for the Line, and does not make the Signal for that Flag-Officer and his Diviſion to give chace to the Enemy. Furthermore, had I taken upon me what I could not anſwer, to direct theſe Ships going a-head of me, before you engaged the Enemy, I believe it was impracticable for them to execute it, conſidering their Diſtance a-ſtern of me, the little Wind and the Swell.

THE *Cambridge* was not ſo far to Windward of me, as the *Dunkirk*, therefore the Captain's Signal was not made; and at that time I apprehended the firing a Shot to Windward of them both, would be a ſufficient Check and Direction to both Captains, eſpecially to ſo old an Officer as Captain *Dr—m—nd* is, being near thirty-three Years a Commiſſion-Officer. But tho' it may not be ſo proper to inſert any thing here, which has not fallen under my own Obſervation; yet as you have been pleaſed to ſhew me an Example, give me leave in my turn alſo to tell you, that it has been alledged in defence of theſe two Ships, tho' they were to Windward of me, yet they were in the Line with the Ships a-head of them; and in the firſt Article of the Fighting Inſtructions, You, Sir, yourſelf have made

made a Manuſcript Addition, *viz.* " And every " Ship is to obſerve and keep the ſame Diſtance " thoſe Ships do, which are next the Admiral, " always taking it from the Center." As to ſending my Lieutenants to command the *Dunkirk* and *Cambridge*, the Shortneſs of Time between the Shots being fired, and your making the Signal to leave off chace, would not (had there been much greater neceſſity to do it) admit of ſuch a Proceeding.

NOTWITHSTANDING the Replies you have been pleaſed to make to my Anſwers to your *Queries*, I find that I muſt repeat to you again, that I did the utmoſt to cut off the four Sternmoſt Ships of the Enemy; and as my laſt Recourſe, to bring on an Engagement, where I had the proſpect to divert thoſe Ships of the Enemy from endeavouring to deſtroy the Fire-ſhip, as well as to ſtop them from getting a-head to the Aſſiſtance of the *Real*, I fir'd a Broadſide at the neareſt Ship, which was the Sternmoſt; the Shot of which did not all fall ſhort of her, but ſhe directly bore away, and made more Sail, which was what I could not do.

I DEFY Malice itſelf to ſay the contrary, with the leaſt regard to Truth; and I muſt tell you, Sir, that no Man ever had it more at heart, or could endeavour more than I did to get up to your

your Aſſiſtance; and alſo to get up to the Relief of the poor *Marlborough*, *Who was torn to-pieces indeed!*

I NEVER broke the Line of Battle, neither did I ever ſhorten Sail, or hale upon a Wind, till you haled down the Signal for Battle, and the Signal for the Line of Battle, and made the Signal to give over Chace. I did not give you for an Anſwer to the laſt Part of your fourth and laſt Query, that I left off purſuing the Enemy, and clap'd upon a Wind in order to protect the Rear-Admiral; be pleaſed to conſider my Anſwer, you'll find my Words are theſe: "That when "you haled down the Signal to engage, and "made the Signal to give over Chace, I imme-"diately ſhortned Sail; you haled your Wind, "I did the ſame, as it appeared to me to pro-"tect Rear-A—l *R—wl—y*, and his Diviſion; "the Van of the *French* Fleet being then tackt, "and endeavouring to double upon him."

DO theſe Words mean more, or can they be taken in any other Senſe, than that in obedience to your Order then abroad, to leave off Chace (no Ships being then in Chace but me and my Diviſion) I was neceſſitated to comply with it: And that this Signal was made by you for the Protection of the Rear-Admiral?

YOU have been pleaſed to make many Repetitions, aſſerting, that I broke the Line of Battle;

Battle; therefore, however unwilling I may be to take up time by unneceſſary Repetitions, there ſeems to be an abſolute Neceſſity for me to fall into them.

I AM greatly ſurprized to find you ſhould tell me, that I had given you reaſon, for what I never did: Be pleaſed to look over my Anſwers to your *Queries*, and I deſire that you would not miſapprehend them to my Prejudice, for I never could acknowledge an Untruth. I never broke the Line of Battle, nor quitted the Enemy, that is what I never did; nor never would do: And I now likewiſe affirm, that I never clap'd upon a Wind, with my whole Diviſion, or any Part of it; neither did I ever ſhorten Sail, until you was pleaſed to call me off chace, by hoiſting the White Flag at the Fore top-maſt Head, and at the ſame time haling down the Signals for the Line of Battle, and engaging the Enemy; and I am ſenſible it was my duty to do it, without regarding the Situation of the Rear-Admiral. But ſurely there could be no great crime, in obſerving what many others did, that you from all Circumſtances made this Signal for his Protection.

YOU have likewiſe been pleaſed to draw this Inference, that by all Accounts, had not I clap'd upon a Wind, with my whole Diviſion, which I never did (until it was my Duty ſo to do) "That in a Quarter of an Hour at leaſt, I

" might and muſt have engaged theſe four ſtern-
" moſt Ships, by which means the *Real* eſcaped
" you." Give me leave to affirm, that you haled down the Signal to engage the Enemy, and the Signal for the Line of Battle, and made the Signal to give over chace, before the four ſternmoſt Ships got up to you, and that you had left the *Real*, before they could poſſibly get a-head *to tear you to pieces* ; and to this Truth I have the ſtrongeſt Aſſeverations.

YOU continue your Charge, by adding, that my Neglect of this Piece of Service was obvious and plain. To whom, Sir, was it obvious and plain? From whom had you theſe Accounts? It would have been doing a friendly Part to me, to have mentioned your Authors; and what Perſon that has either Honour or Honeſty could inform you, " That had I not forſaken the Enemy
" with my whole Diviſion, I muſt have en-
" gaged them in a Quarter of an Hour at leaſt." For you yourſelf, Sir, have more than once ſaid, that your Situation was ſuch, that you could not diſtinguiſh what was doing a-ſtern of you. It appears then to me, that you have altogether depended upon Information; and I muſt take the liberty to tell you, in my own Defence, that my Character, at this time of day, after ſuch a tedious Length of Service (where I have always had the good fortune to gain the Approbation of my Superiours, and the good Wiſhes and Friendſhip of my Inferiours) is not to be blaſted thus

by Hearſay ; or prejudiced by the infectious Breath of Slanderers : Nothing being ſo eaſy, as general Charges and Aſſertions ; nothing ſo true, as the old Maxim, *Throw out your Calumnies with Aſſurance, and ſome of them will find Credit.* I am ſorry, extremely ſorry, that any thing like this ſhould ſeem to be the Caſe between you and me.

I HAVE already taken notice, that I was rather to Leeward with my Diviſion, than to Windward of the Line of Battle; therefore the Captains of my Diviſion, notwithſtanding the Signal for engaging the Enemy was out, did their Duty in following me : for which reaſon I am at a loſs to apprehend your Meaning, as you are pleaſed to ſay, " That to have undeceived them, " would have been doing, not only the Duty of " an Officer, but likewiſe a friendly Part to you."

WHEN I anſwered your Queries, I was conſcious to myſelf, that I had done my Duty as an Officer, and a Friend to you ; and tho' theſe Anſwers do not give you Satisfaction, which is no Inſtance of your Friendſhip to me, and you have ſent me Replies to them, after a Delay of thirteen Days : Yet, even from them, I am more and more convinced, that nothing was left undone for his Majeſty's Service, and the Deſtruction of the Enemy, that I had power to do.

I AM greatly ſurprized, that you ſhould be diſpleaſed, becauſe I concluded in my Anſwers to your Queries, that had you been pleaſed to have dropt a Boat with your Directions, to thoſe Ships of your Diviſion and mine, between you and me, to have attack'd the four mention'd Ships of the Enemy, they would have forced them a ſtern for our coming up. And really, Sir, I cannot help wiſhing, that you had been pleaſed to have done ſo, before you yourſelf began the Engagement; for I think it could not have failed of anſwering the Purpoſe. It would have been at leaſt a great Aggravation of that Man's Crime, who, after ſuch a Direction, neglected coming to your Aſſiſtance.

I COULD not make the *Neptune* go faſter a-head; a Boat from me at the diſtance I was from theſe Ships, was ſtriving at what was out of my Reach. For you will be pleaſed to conſider, that there is a wide Difference between Dropping a Boat a-ſtern, and Sending a Boat a-head to Ships at ſuch Diſtances off, that were all under Sail; neither could I take upon me to direct your Diviſion, that was much nearer the Commander in Chief, than the Vice-Admiral. Beſides, had it been neceſſary for the Ships to have gone to Leeward of the Line with you, (eſpecially as you have been pleaſed to make a *Manuſcript Addition* to the firſt Article of the Fighting Inſtructions) I, that was bound to the Order

Order myſelf, as much as any Captain, could not authorize and empower others to break it.

I WOULD not willingly give Offence, or irritate Matters more; but when I am attack'd in ſo violent a Manner, ſo injurious to my Honour, and my conſtant Practice all my Life long; you muſt give me leave to wiſh from my Soul, that you had had a little more Patience before you engaged; and ſince the ſole Dependence was on my Diviſion, to have waited until the Line had been formed, and we had come up to cloſe with you, *agreeable to the Meſſage* which your Lieutenant brought me in the Morning.

I MUST be blind, Sir, if it could poſſibly eſcape my Obſervation; neither indeed can any Impartial Perſon help ſeeing it, that while I and my Diviſion have been thus undeſervedly blamed, nothing by you, like *Cenſure*, has been imputed to the Center. It is notorious that not above ſeven Sail of the Enemy engaged (and probably a leſs Number) where there were eleven Ships in our Center, beſides the *Berwick* and *Kingſton*, in all thirteen Ships, that from the Beginning had it in their power to reach the *Spaniſh* Squadron, in what manner you had been pleaſed to have directed. And ſurely, without any great Degree of *National Vanity*, thirteen Sail of *Engliſh* Ships of War, ſuch as theſe were, and under *Your Direction, Sir*, were a Match for ſeven Sail of *Spaniſh* Ships; at leaſt to have kept,

kept, or forced a-ſtern the four mentioned Ships for our coming up, that could not poſſibly fire a Gun to *tear you to-pieces*, before the time that you made the Signal for the Fleet to give over Chace, and haled down the Signals for the Line of Battle, and for engaging the Enemy.

YOUR laſt Page, and the latter Part of the preceding one, are a Repetition of what has been already anſwered. But, however, give me leave to aſk, Sir, why you judged proper to hale down the Signal for the Line of Battle, as well as that to engage the Enemy, and made the Signal to give over Chace, if you did not expect me to ſhorten Sail, and clap on a Wind, (as you yourſelf did) in obedience to you the Commanding Officer? For I inſiſt upon it once more, that I did not do it, until you commanded me by this Signal. To what purpoſe then, Sir, have you been pleaſed to ſay, "That I aſſiſted "you with my Judgement, in doing what was "not in my power to do, *viz.* to go to the "Aſſiſtance of Rear-Admiral *R*——*y*, yet "would not aſſiſt you, when it was abſolutely in "my power? *&c.*" I do not think it improper here to ſay, that my Judgement, or Opinion was never aſk'd. I have had a Proof from you, Sir, theſe two Years, that it was not worth a Summons, tho' I had the Honour to bear his Majeſty's Flag; yet I have always, *even in the Day of Battle*, been kept ignorant of your Deſigns, more than many private Captains.

I MUST take the liberty to tell you, that I have always aſſiſted you to the utmoſt of my power, as Vice-A———l; and if you have deprived yourſelf of my Aſſiſtance, by your great Impatience, in never ſuffering me to cloſe with you, nor did not give me more Authority by proper Signals, I am no ways anſwerable

IT gives me pain to repeat to you again, that I endeavoured my utmoſt to hinder the four ſternmoſt Ships of the Enemy getting a-head, and I could not poſſibly do more: Which Endeavours, I do affirm, ſtop'd theſe four Ships from getting near enough to attack the *Namur*, till long after you made the Signal, to leave off chace; and when they did fire upon you, it muſt have been at the Cloſe of Day, when ſoon after all firing ceaſed.

IT's true, Sir, that you have my Anſwers to your *Queries* under my Hand, and you have now my Anſwers to your Replies under my Hand, both which you may make what uſe of you think proper; knowing very well, that if you can take any Advantage either in defence of your own Conduct, or to arraign mine, that you will be ſure to do it. And I ſhall therefore be extremely careful in keeping your *Queries*, as well as your Replies to my Anſwers; which are both under your Hand, and a great Comfort to me.

TO

TO conclude, Sir, I take upon me to affirm, that it was neither in my power, to prevent the four Ships of the Enemies getting a-head, either by disabling them or obliging them to put afore it, unless you had, instead of making the Signal to give over chace, made the Signal for me and my Division to give chace: And then, Sir, tho' I could not have come up to disable them, yet I might have certainly kept them afore it, and myself with my Division been justified in breaking the Line of Battle, which Signal was then abroad.

I MUST not forget to add, that at least three of these four Ships did not reach the Fire-ship; I am sure the sternmost did not fire one Shot at her: so that in fact they were no great hinderance to the *Real*'s being burnt, nor any to the *Real*'s falling into your hands; because you had left the *Real*, and made the Signal to give over chace, before they came near enough to attack the *Namur*.

R——D L——K.

Neptune, *in* Mahon *Harbour*,
16*th* March, 1743.

Vice-

Vice-A———l L———K's *Letter to the D—— of* N———le.

My L— D—, Neptune, *off* Mahon, 16*th* February, 1743.

IT is now become my Duty to take the firſt Opportunity of acquainting your Grace, that on the 11th *February*, the Day of the Action between his Majeſty's Fleet and the Combined Fleets of *France* and *Spain*, that Mr. *M——s*, who had made the Signal for the Line of Battle in the Morning, and continued to keep it abroad, by which means no Ship dared to break the Line, or give Battle in any other Order; notwithſtanding which, to my great Aſtoniſhment, without hinting to me the leaſt Information of his Deſign, or waiting until the Fleet had ſtretched a-head, and cloſed in the Line, he bore down with the *Marlborough* upon the *Spaniſh* Admiral, whoſe Ship and Squadron were in the Rear of the Enemy's Line, and according to A———l *M———s*'s Diſpoſition of Battle, ought to have fallen to me and my Diviſion. And what is equally ſurpriſing, he attack'd the Enemy when I was a great way aſtern of him, with all the Sail I could ſpread abroad. Conſequently, my L—d D—e, he deprived himſelf of my Aſſiſtance by his great Impatience, in not ſuffering me to cloſe with him, agreeable to a Meſſage ſent to me in the Morning by one of his Lieutenants. And although not above ſeven Sail of the Enemy engaged, and

the Admiral, from the Beginning of this Action, had it in his power to order the following Ships to attack the *Spaniſh* Squadron in what manner he thought proper, *viz.* The *Namur*, *Marlborough*, *Norfolk*, *Dorſetſhire*, *Somerſet*, *Eſſex*, *Princeſſa*, *Dragon*, *Rupert*, *Royal-Oak*, *Bedford*, *Berwick*, and *Kingſton*, in all thirteen Ships, eleven of which compoſed the Center of our Fleet; yet as he has failed of his Attempt, in order to juſtify himſelf, and to lay the Blame or Odium upon me, he has arraign'd me and my Diviſion: Therefore, for his Majeſty's Information, and in my own Defence, I think it my indiſpenſable Duty to tranſmit to you what has paſſed between us; which are Letters, his Queries, and my Anſwers; his Replies to them, and my Rejoinder; all which will ſerve to ſhew to your Grace, how much this Gentleman has injured me, and how neceſſary it is that an Officer of my Rank and Service ſhould be juſtified, from ſo violent and undeſerved an Attack upon his Honour and Experience.

IT does not yet become me to trouble your Grace with farther Obſervations, and Animadverſions on the Cauſes of this Miſcarriage; but that you may the better inform yourſelf, I have likewiſe taken the liberty to ſend you the Minutes of the Proceedings of the Fleet, from the time that the Enemy ſailed out of *Toulon*, to the time I was directed to give over chacing them, ſince which we have not ſeen them; tho' at that time

time four of the *Spaniſh* Squadron were diſabled, and we had a very freſh Gale of Wind, the Weather-Gage, and thereby they muſt have given up their lame Ships, particularly the *Spaniſh* Admiral, or given us Battle, when we had the Superiority of them at leaſt by thoſe four Ships diſabled, and one already burnt.

BEFORE I take leave of your Grace, I muſt obſerve, that altho' there were many Signals made for the Lines of Battle a-head, and a-breaſt; yet, I affirm, there never was one formed, excepting that Evening we brought to, before the Enemy run from us.

I HAVE only to add, that, according to the Cuſtom of the Sea, the Day begins at 12 at Noon; ſo that the ninth Day is the eighth, by which Evening and Morning make the Day. I am,

My L—D D—E,

Your Grace's

Truly Devoted,

Humble Servant,

R——D L——K.

POSTSCRIPT,

I AM ſorry I ſhould have ſo much room to acquaint your Grace, that Mr. *M*——*s*, inſtead

ſtead of doing me the Juſtice which is due to my Character, after ſo violent an Attack, endeavours to ſtop the Channel of all Correſpondence between your Grace and me, by keeping me entirely in the dark, where any Ship is bound; which has been the Cauſe that you have not received this Packet as ſoon as you may have heard from him. So ſevere is my Neceſſity, that I am obliged to catch at all Opportunities of addreſſing your Grace; and I hope, not too late, to overtake him.

Adm—l M——ws's *Letter of Suſpenſion to Vice-A—l* L——k, *the Evening after the Rejoinder was received.*

SIR, Namur, Mahon *Harbour*, 16*th* March, 1743.

I HAVE received your Anſwers to my Replications to your Anſwers to the *Queries* I firſt ſent you; I ſhould not at preſent, had I time, trouble you with any Reply to them, but ſhall defer that till my Conduct ſhall be enquired into at a Court-Martial. I ſhall therefore content myſelf at this time with acquainting you, that I do not think your Anſwers do by any means juſtify your Conduct in the late Action; and for fear that His Majeſty's Service ſhould ſuffer for the future by your Miſconduct, I do therefore judge it is my indiſpenſible Duty to order you home, where you will have time to prepare yourſelf for your own Defence, and likewiſe to make good the many Neglects of Duty you charge me with having

having been guilty of. You are therefore hereby directed and required, forthwith to repair on Board His Majeſty's Ship the *Saliſbury*, whoſe Commander will have my Orders to proceed directly with you to *England:* and I do hereby ſuſpend you from all further Authority in His Majeſty's Fleet, 'till His Majeſty's Pleaſure ſhall be known. I am,

SIR,

Your moſt humble Servant,

T—— M——WS.

To R——d L——k *Eſq*; &c.

Vice-Adm——l L————K's *Anſwer immediately upon receiving the Order of Suſpenſion.*

SIR, Neptune, Mahon-Harbour, 16*th* March 1743, *at Night.*

WITH Pleaſure I have received your Order of Suſpenſion, have taken down my Flag; and am,

SIR,

Your moſt Obedient

Humble Servant,

R—D L—CK.

To the Honourable *A——l* M——s.

A JOURNAL *from on Board of* His MAJESTY's *Ship* N———k, March 10*th*, 174$\frac{3}{4}$.

February 8.

THE *Winchelſea* having ſtood a-thwart the Petite Paſſe of the Bay of *Hieres*, hoiſted a blue Enſign at the main Top-maſt Head, and lower'd it a great many times, as the Signal that the *French* and *Spaniſh* Squadrons were under Sail, coming out of *Toulon* Road; and the *Eſſex* under the Iſland of *Porquerole* repeating the ſame Signal, the Admiral anſwered both, by firing a Gun; and made the Signal for the Fleet to unmoor. We hove ſhort, the Enemy having ſtood in Shore again; we did not weigh, but continued to lie ſhort all Night, clear for Action. At 8 His Majeſty's Ships the *Oxford* and *Guernſey* got under Sail, and went out in the Grand Paſſe, to obſerve the Enemies Motions.

February 9.

AT Eight in the Morning, the *Durſley* and *Xebeck* ſailed to the Southward. At Nine, the *Eſſex* made the Signal that the Enemy had got under Sail; and at Ten o'clock the Admiral having made the Signal to weigh, the whole Fleet got under Sail with great Chearfulneſs and Expedition. Then the Signal was made for the Fleet to draw into a Line of Battle a-head, the Vice-Admiral's Diviſion leading on the Starboard Tack.

Tack. At Eleven, the Signal for Lieutenants on board of the Admiral; and half an Hour after, the Signal was made for the Van of the Fleet to tack. As the combined Fleets haled their Wind and kept to Windward, we continued under Sail till duſkiſh, and anchored *per* Signal. The *Warwick* having ſtood in too nigh the Shore by the *Charter-Houſe*, ſhe was obliged to come to an Anchor, to ſtrike her Yards and Top-maſts, and to lighten, before ſhe got off the Ground again, which ſhe did without any Damage.

February 10.

AT Six in the Morning, the Fleet weighed *per* Signal; and at Seven the Signal was made by the Admiral for the Ships that led on the Starboard Tack to head large: Accordingly the Fleet made Sail with little Wind off Shore. At ten o'clock ſaw three Ships to the Eaſtward under *Levant* Iſland, which proved to be the *Boyne*, *Chicheſter*, and a Victualler from *Mahon*. They ſaluted the Admiral, and joined us very opportunely ſoon after.—Saw the Enemy, having very little Wind, ſtanding towards us in a Line of Battle. At the ſame time we had a little Air of Wind Eaſterly, with a very high Swell in the Southern Paſſage, the Ships being all in a Cluſter together, employ'd our Boats to keep clear of one another, as did every other Ship; and at laſt, with ſome Difficulty, eſcaped Danger.——At One o'clock, proving calm, the Fleet brought to by Signal.——At Two, we made Sail again, and

and the Admiral made the Signal for the Line of Battle a-breaſt: but the Sea and little Wind preventing us getting near enough the Enemy before Night, who had already brought to in a Line of Battle; the Admiral at ſix o'clock made the Signal to bring to on the Larboard Tack, and we lay to all Night very nigh the Enemy, with Cruizers between us and them, to obſerve their Motions: Being little Wind, Cloudy, with an ugly Swell.

February 11.

IN the Morning, the Enemy appeared to be further off than the Night before; and they had made Sail with little Wind Eaſterly, their Larboard Tacks on Board. The Vice-Admiral's Diviſion compoſing the Rear of our Fleet, with the Larboard Tacks on Board, was not cloſed with our Centers, but a great diſtance off; neither was the Rear's Diviſion, compoſing the Van of our Fleet, ſo cloſe as they ſhould have been.——Our Fleet made Sail, and the Admiral made the Signal for a Line of Battle a-breaſt. Soon afterwards the Signal for the Commander in the third Poſt to make more Sail; then the Signal for the Commander in the ſecond Poſt to do the ſame. At eight o'clock, the Signal for the Van of the Fleet to lead large, in chace after the combined Fleets ſtanding to the Southward: but their Ships being all clean, they drew very faſt a-head of us. At nine o'clock, the *Royal-Oak*, with two Victuallers from *Mahon*, having fallen in to the Eaſtward

ward of us very luckily came into the Fleet. Half an Hour after, the Signal for a Line of Battle a-head. At Ten, the Signal to engage the Enemy, which Signal the Rear-Admiral repeated, tho' the Vice-Admiral did not; which occaſioned various Conjectures.——About One o'clock the *French* Fleet going very faſt a-head, and leaving the Rear of their Fleet ſome diſtance off a-ſtern, which was the *Spaniſh* Squadron; the Admiral like himſelf, finding he could not come up with them, took this opportunity, and bore down with the *Marlborough* upon the *Royal Philip*, on board of which was Don *Navarro*, the *Spaniſh* Admiral, and began the Action with great Intrepidity. At the ſame time we in the *Norfolk* bore down, and engaged the *Spaniſh* Admiral's Second a-head, 'till we made her ſick of it, and take to her Heels with all her Sails abroad; not daring however to follow her, but compelled to keep in the Line of Battle.——A great Uneaſineſs to our brave Captain, all the Officers, and Men, to continue in this manner idle Spectators.——Our Rigging, Maſts, and Yards having been much maul'd and ſhatter'd, and tho' we had been at it above an Hour and a Quarter, yet we had only Twelve Men kill'd, and Twenty-five wounded. The Ships a-head of us engaged the reſt of the *Spaniſh* Squadron a-head of our Run-away; and the Ships a-ſtern of the Admiral and *Marlborough*, engaged the Ships a-ſtern of the *Spaniſh* Admiral.——The Vice, and his Diviſion, having not come up. In the mean while Rear-Ad——l

R——wl——y on board of the *Barfleur*, with the *Princeſs Caroline* his Second, engaged the *French* Admiral with his Diviſion; and continued the Fight with great Obſtinacy and Judgement, aſſiſted moſt couragiouſly by the *Caroline*, till the *French* Admiral with his Seconds run from them, after a very warm Engagement near two Hours long.——The reſt of our Van keeping their Wind with great Diſcretion, prevented the Enemy from Tacking and Weathering upon us, to the Applauſe and Reputation of the Officer who led; ſince, by bearing down upon the Enemy, the *French* muſt have got the better of us, being three Ships there to our one, including the Number of their Van and Center. The Admiral and *Marlborough* being juſt aboard of one another; to avoid which, the Admiral was obliged in the Heat of Action to make Sail a-head; his Maſts, Yards, and Rigging being much damaged and ſhatter'd, ſo that it was with much a-do he could work or manage his Ship. In this Condition, when the *Marlborough*'s Main and Mizen Maſts were ſhot by the Board, and ſtill continued to fire upon the Enemy; the *Royal Philip* being altogether diſabled, her Seconds gone, the Ships a-ſtern not yet come up, the *Anne Galley* Fireſhip was ordered to prime with the utmoſt Diſpatch, and go down upon the *Spaniſh* Admiral and burn him. But the Captain's want of Readineſs, and great Delay, were the principal Cauſe of preventing the Execution of this Enterprize at the ſeaſonable time ordered and expected,

and

and by ſome unlucky Accident or other ſhe blew up along-ſide of the *Royal Philip*. All her way down, the Enemy kept conſtantly firing at her; nothing was left un-executed in the Power of the Admiral and *Marlborough* for her Protection: yet ſhe unhappily miſcarried, not without poſitive Aſſertions, that it was in ſome meaſure owing to the Miſconduct or Neglect of ſome Officers, too great for me to name; but whether true or falſe, will, no doubt, hereafter appear. It is univerſally acknowledged, that the Admiral in the *Namur*, the Rear-Amiral in the *Barfleur*, Captain *Cornwall*, (whoſe melancholy Fate will ever be lamented as a brave Officer, and his Judgment and Reſolution will ever be pointed at, as an Example to all others) of the *Marlborough*, and the Officers on whom the Command devolved after his Death; Captain *Forbes* of the *Norfolk*, and Captain *Oſburn* of the *Princeſs Caroline*, behaved like great Officers unacquainted with Fear, Patriots, and Seamen.——Who did not equally do their Duty to their King and Country, in ſerving them faithfully, in the Deſtruction of the combined Fleets; it is to be hoped Time will ſhew, it does not become me to utter my Thoughts; it is too delicate a Subject for me to touch upon.———In ſpite of the *Sterling-Caſtle*'s Endeavours to the contrary, the Van of the *French* Squadron tack'd, which obliged the Rear-Admiral to tack alſo, in order to come and join our Center; while the *French* Fleet did not fire at our Van, but purſued their Courſe for the

Protection and Relief of the *Spaniſh* Squadron. The *Powerful*, a *Spaniſh* Ship of 64 Guns, having been attacked by the *Somerſet*, *Princeſſa*, *Bedford*, *Kingſton* and *Berwick*, after a reſolute Defence, being diſmaſted, ſtruck; whereupon ſeveral Boats boarded her, but the *French* Fleet coming upon them, retook her again, with the Lieutenant of the *Berwick* and twenty-five of her Men.—The Admiral had haled down the Signal for the Line of Battle; and at Five o'clock wore with his Head in Shore, and made the Signal again for the Line of Battle a-head. The Ships of the Enemy that were a-ſtern of the *Royal Philip* all day, now having come up to cloſe with their Chief, kept firing at the Admiral; the *French* Fleet being alſo joined with the *Spaniards*, Night coming on, Firing ceaſed, and we ſtood with the Starboard Tacks in Shore— leaving the major Part of the *Spaniſh* Squadron almoſt deſtroyed and torn to pieces.—At Eight o'clock the Signal to tack, little Wind variable, with a Swell all Night.

February 12.

THE *Namur*'s Maſts having been greatly wounded, the Admiral hoiſted his Flag on board of the *Ruſſel*.—At 6 o'Clock ſaw the Enemy to Leeward, bearing S. W. b. W. of us, diſtant ſix Leagues —— the Wind being about N. E. At the ſame time obſerv'd the *Somerſet* to be engaged with one of the Enemy, at ſome diſtance from their Fleets. They parted after ſeveral Diſcharges.

Diſcharges. At 9 o'Clock, the Vice-Admiral made a Signal for his Diviſion to chaſe to the S. W. At 11, the Admiral made the Signal for a Line of Battle a-breaſt, and the whole Fleet gave Chace in a good cloſe Line. But the Enemy making what Sail they could from us with the crippled Ships, and there being little Wind all Day, at duſkiſh the Fleet brought to, in expectation of renewing the Attack next Day. At 9 o'Clock, the *Eſſex* ſet fire to the *Poder*, and ſhe burned and blew up in half an Hour, being deſerted by the Enemy.

February 13.

AT 2 o'Clock in the Morning, the Signal was made to make Sail. Accordingly we did, blowing pretty freſh at N. E. At Day-break ſaw the Enemy bearing about N. N. W. of us, juſt able to ſtand with them. The Admiral made the Signal for the Vice-Admiral and his Diviſion to give Chace; and the Fleet followed with all their Sail abroad that they could carry: but the Enemy's Ships being all clean, they went from us, the Wind increaſing to put us by our Top-ſails, many of our Ships being wounded in their Maſts; and the Wind alſo favouring them, and ſhifting to the N. W. the Admiral made the Signal for the Fleet to leave off Chace, and for the weathermoſt Ships to bear down into his Wake.——The Wind continued to blow very hard all Night; and the Fleet lay by under a Main-ſail.

IN

IN this manner did Fate, Miſconduct, and Backwardneſs, contribute to the eaſy Eſcape of the Enemy, which an Examination into will more amply diſcover. As to the particular Loſſes, I cannot be exact; therefore I ſhall only ſay, that, next to the *Marlborough*, the Rear-Admiral loſt moſt Men. Next Day, after repairing our Loſſes, we made Sail in queſt of the Enemy, but could not hear any thing of them. On the 17th made Sail for *Minorca*, and diſpatched the *Sutherland* Hoſpital-ſhip into *Mahon* Harbour with our wounded Men——Afterwards endeavoured all we could to get to Windward, leſt in our Abſence from *Hieres*, the Enemy ſhould convoy to *Italy* any Reinforcements with the Men of War left in *Toulon* Harbour——But after ſtruggling in vain with hard Gales of Wind, and very bad Weather, many Ships being diſabled thereby, we bore away the 28th, and next Day got into *Mahon* Harbour, to repair our Loſs with great Expedition, to get out to Sea as ſoon as poſſible.

A Letter from the Rupert.

Rupert, *off* Mahon, February 22, 1743-4.

ON the Combined Fleet's haling out into the Great Road at *Toulon*, Capt. *Norris*, in the *Eſſex*, was ordered to anchor under *Porquerole*, with the *Chatham* and *Feverſham*, where he could ſee the Motions of the Enemy's Fleet,

to

to make Signals on their Motions of ſailing. Accordingly on *Wedneſday* the 8th of *February*, at half paſt 2 in the Afternoon, the *Eſſex* made the Signal of the Enemy's Fleet under Sail. Then Ad——l *M*——*s* made the Signal to unmoor. We hove ſhort; and as he ſaw the Enemy ſtanding in, and anchor again, we continued to lie ſhort at an Anchor, on our Arms all Night; the Admiral having detach'd Frigats to lie without the Iſland of *Porquerole*, to obſerve their farther Motions.

ON *Thurſday* the 9th in the Morning at 6, we looſed our Sails; at 9, Capt. *Norris* made the Signal of the Combined Fleet's being under Sail; at 10, the Admiral made the Signal to weigh; accordingly the whole Fleet got under Sail. He then made the Signal for the Line of Battle a-head with the ſtarboard Tack, the Wind then W. N. W. moderate Weather. At half paſt 11, the Signal was made for the Van of the Fleet to tack, on ſeeing the Enemy's Fleet ſtand in for the Land. We continued plying in the Bay of *Hieres* till Night; then the Signal to anchor.

ON *Friday* the 10th, at 6 in the Morning, the Admiral made the Signal to weigh; we all got under Sail, and at 7, the Signal being made for the Ships that led on the ſtarboard Tack, to lead large, by Noon, we all got out of the Bay: then ſaw the Enemy's Fleet to Leeward of

us about 3 Leagues, endeavouring to get into *Toulon*, they having little Wind Weſterly, and we a ſmall Air of Wind at E. S. E. and variable, with a great weſtern Swell, that it was with great difficulty, by the help of our Boats, that we could keep ſome of our Ships from being foul of one another. We were then joined by the *Boyne* and *Chicheſter* from *England*. At half paſt 2, the Signal was made for the Rear-Admiral and his Diviſion, to hawl by the Wind. We towed with all our Boats, in order to join the Enemy, (it being almoſt calm) till 5 o'Clock; at 6, we got within two Leagues of the Enemy's Fleet; and the Admiral made the Signal to bring to on the Larboard Tack. We accordingly lay to all Night; but did not loſe ſight of the Enemy.

ON *Saturday* the 11th, at Day-break, we found that the Currents had drove us between the Enemy and *Toulon*, Cape *Sicie* bearing N. N. W. four Leagues, and the Enemy about four Miles diſtance from us. At half paſt 6, the Admiral made the Signal for the Line of Battle a-breaſt. We continued edging down on the Enemy, who retreated; and our Ships being very foul, we could not get up with the *French* Fleet, who crouded all the Sail they could to get from us; nor could our Vice-Admiral or his Diviſion come into the Line. The Admiral ſent an Officer to thoſe Ships a-ſtern of him, in his own Diviſion, to deſire they would keep the Line as cloſe as they poſſibly could. At half paſt 8, the *Royal Oak*

Oak joined us from *Mahon*; and the Signal was made for the Rear-Admiral, and his Diviſion, to lead large. At half paſt 9, the Signal was made for the Line of Battle a-head; and at 10, the Signal for all the Cruizers, and the Signal to engage. The Admiral then bore down on the Enemy's Fleet; and at 1, he was a-breaſt of the *Real*, which was the Centre of the *Spaniſh* Ships, brought to on the larboard Tack, which formed our Line on that Tack, and, with the *Marlborough* his Second, began to engage the *Real* and her Second the *Iſabella*; as did the Leaders of his Diviſion, with the Leaders of the *Spaniſh* Line; and our Rear-Admiral and his Diviſion, thoſe Ships of the *French* Fleet he could come up with, and continued a warm Engagement. The five Ships a-ſtern of the *Real*, not having come up to cloſe their Line, had none to engage with till half paſt 1; then they began to fire at me and the *Royal-Oak*, which we returned, and began to engage, the Wind ſhifting to the N. E. ſhot us a-head of them; upon which I yawed to get my Ship farther a-ſtern, and brought Part of our larboard Side to bear on them: but finding they raked us as they came up, I yawed again, brought our ſtarboard Side to bear on them, and continued our fire. At 3, the *Marlborough*'s Main and Mizen Maſts were brought by the Board. At 4, the *Real* was greatly diſabled; then the Admiral made a Signal for the *Anne-Galley* Fire-ſhip to come down and burn her; but ſhe blew up a-long ſide, without doing Execu-

tion. The *Cambridge*, of the Vice-Admiral's Diviſion, now came up, and began to fire on the five Ships, that we and the *Royal-Oak* were engaged with; then the Admiral hauled down the Signal for the Line. I bore down nearer the five *Spaniſh* Ships that were coming up to aſſiſt their Admiral, and continued the Engagement. At 5, the *Marlborough* was towed out of the Line; the Admiral then made the Signal for the Line a-head: we then immediately hauled our Wind, aud formed our Line. The Admiral wore round, which we that were a-ſtern of his Diviſion, only, did after him. Theſe are the Ships, *viz.* the Admiral in the *Namur*, the *Dorſetſhire*, *Eſſex*, *Rupert*, and *Royal Oak*, that with the Admiral formed the Line; and with theſe we engaged the *Real*, her Second the *Iſabella*, and the other five *Spaniſh* Ships, that by this time were come up, and got into a cloſe Line with their Admiral. The whole *French* Fleet being now got to Windward, and bearing down upon us, and Night coming on, Firing ceaſed on all ſides. We paſſed on, leaving the *Spaniſh* Ships greatly ſhattered, and almoſt quite diſabled, the *French* Fleet having then joined the *Spaniards*. There was one of the *Spaniſh* Ships, called the *Powerful*, of 64 Guns, almoſt beat to pieces, which ſtruck to the *Berwick*; but he had only time to take the Captain and four of the principal Officers out, leaving a Lieutenant with twenty-three Men in her, which the *Spaniards* in the Night retook, and took all their Men out of her;

but

but next Evening we came up with her, and Capt. *Norris* was ſent to burn her; which he did, and ſhe blew up in a little leſs than half an Hour. Three Gentlemen lay claim to the Honour of her; but who did her the moſt Damage is quite uncertain. Upon the whole, it can be only ſaid, that it was a running, harum-ſcarum Action. The *French* Ships ſailed five Foot to our one; and the *Spaniſh* Ships out-ſailed moſt of ours, which gave them great Advantages. I think, but ſixteen Ships of ours did engage; we fairly beat them out of the Seas; but moſt of our Ships that engaged, had their Maſts diſabled, except myſelf. I came off without my Maſts being hurt, having only four Men wounded; but my Sails and Rigging pretty much ſhattered. Tho' I was as much in the heat of the Fire as any Ship that did engage, except the *Marlborough*, and Adm——l *M*————*ws* himſelf in the *Namur*, who firſt began the Engagement; and you'll obſerve, as I ſaid before, that I was an uneaſy Spectator for above half an Hour, having no body to engage with, till thoſe five *Spaniſh* Ships came up. Rear-Adm——l *R*——*wl*—*y*, and his Diviſion, finding the *French* endeavouring to get the Wind of us, immediately hauled the Wind, and prevented them. The Vice-Admiral and his Diviſion could not come in. At Eight that Night, the Admiral made the Signal to tack. We had it almoſt quite calm, and little Wind quite round the Compaſs all Night.

ON *Sunday* the 12th in the Morning, the Admiral's Ship having received ſome Damage in her Maſts, he hoiſted his Flag on board the *Ruſſel*. At Six, we ſaw the Enemy to Leeward, bearing about W. S. W. of us, diſtant 7 Leagues; we had then the Wind at E. N. E. upon which we bore away after them with all the Sail we could croud. At Seven, we ſaw the *Somerſet* engaged with one of the *Spaniſh* Ships that by Accident had fallen in with him, then four Miles diſtant from our Fleet; the *Spaniard* got away, after being engaged half an Hour. At Nine, the Signal was made for the Vice-Admiral, and his Diviſion, to chace to the S. W. At Eleven, the Signal for the Line a-breaſt. Accordingly we all bore down in a good Line, and the *French* ſtood away from us, with all the Sail they could make; we had but very little Wind all Day: but by Six we got within three Miles of them, and brought to with our Larboard Tacks, in hopes of attacking them in the Morning. The *Burford* this Night joined us from *England*, and fell into the Line.

ON *Monday* the 13th at Two in the Morning, the Signal was made to make Sail, perceiving the Enemy's Fleet to make Sail from us. At Day-light we ſaw them bearing about Weſt of us, ſeven or eight Leagues, and the Wind flying about to the N. N. W. We could but juſt lay up with them. The Signal was then made for the

the Vice-Admiral to ſend Ships to chace, and we purſued with the whole Fleet after them with all the Sail we could croud; but they being all clean, we could not perceive that we came up with them. And at Nine the Wind coming to the Eaſtward, and blowing very hard, and ſeveral of our Ships having their Maſts much wounded, the Admiral made the Signal to leave off chacing, and for the Weathermoſt Ships to bear down to him. It blew ſo hard, that it put us by the Top-ſails; and at Noon we lay too under a Mizen, and at Night under a Main Sail, the Wind ſtill Eaſtwardly.

ON *Tueſday* the 14th by Noon, being moderate, the Ships had then moſtly repaired their Damages; we made Sail to the N. W. in hopes to meet them, and continued that Day and Night making Sail in for the Shore.

ON *Wedneſday* the 15th at Day-light, we ſaw Cape *Creaux* N. by W. 7 Leagues; and at Seven the Admiral made my Signal, and ordered me, with the *Winchelſea*, to go into the Bay of *Roſes*, to ſee if I could diſcover any of the Enemies Ships there: which we accordingly did; but finding none there joined the Fleet by Night. Then we all proceeded off of Cape *Bajolion*, on the Iſland of *Minorca*, where we got ſafe the 17th. I compute our Loſs of Men killed and wounded to be near 400. This is the beſt Account I can give;

give; but as far as I relate, you may depend upon it to be Fact.

CAPTAIN *Cornwall* was killed in the Action on Board the *Marlborough*; but to the eternal Honour of his Memory, he died like a Hero, worthy the greateſt Praiſe of his King and Country. Captain *Ruſſel* of the *Namur* had his Arm ſhot off. Lord *Forbes* wounded by a Splinter, but not ſo as to do him much hurt. Lieutenant *Frederick Cornwall* commanded the *Marlborough*, after his Kinſman, Captain *Cornwall*, was killed; he had his Arm ſhot off in the Action. Admiral *R—wl—y* was ſmartly engaged with the *French* Commodore; he has loſt
and his Ship much ſhatter'd.

JOHN A——

A

A COPY *of a* LETTER *from on Board the* Namur, *dated at Sea* 12*th of* February, 1743.

THE *French* and *Spaniſh* Fleets ſailed out of *Toulon*, as did A——l *M*——*s* with his *Britannick* Majeſty's Fleet from *Hieres-Bay*, ſtanding towards the Enemy; but could not come up with them that Night. The 11th in the Morning, we made a Signal for the Line abreaſt. A——l *M*——*s* and his Squadron ſtood for the Center of the *French* Fleet; but finding we could not come up with them to engage, the Admiral bore down to the *Spaniſh* Squadron, and at half paſt Twelve the *Namur* was along-ſide the *Real* of 114 Guns, and 1300 Men. At this time we were within Piſtol-ſhot of him. Then the Admiral ordered us to begin, which was done accordingly by a Gun from our Quarter-Deck; the *Real* returned it with a whole Broadſide: ſo at it we went, with Courage and Reſolution. The *Marlborough* was our Second, commanded by Captain *Cornwall*, who behaved like a great and good Man, till an unfortunate Shot took off both his Legs; ſoon after which the

the Enemy ſhot away his Main and Mizen Maſts, and by the Fall of theſe, that unfortunate and brave Gentleman's Death was compleated. The Lieutenants fought as bravely afterwards, the firſt of which ſoon loſt his Arm. The *Spaniſh* Admiral was ſeconded by the *St. Iſabella*, a 64 Gun-Ship, and ſupported by ſix more *Spaniſh* Ships; who kept all a continual Fire on the *Namur* and *Marlborough*, during moſt part of the Engagement, which laſted near ſix Hours. We at this time had our Squadron to the Windward of the Enemy, and about one Mile and half Diſtance. The Admiral ſeeing that His Majeſty's Ships the *Dorſetſhire*, *Eſſex*, *Royal Oak*, and *Rupert*, did not bear down to his Aſſiſtance, ſent his Boat on board the *Dorſetſhire*, to order them to bear down, and engage the Enemy; but her Captain did not think proper. The ſame Boat called on board the *E.* and deſired them likewiſe; but the C. had lately married a handſome Wife at *Mahon*, and could not come; neither did any of the reſt, but bravely ſtood the Battle at that diſtance. Had they come down to our Aſſiſtance, we muſt unavoidably have deſtroy'd moſt of the *Spaniſh* Fleet, if not all; and ſhould have been able to have given a good account of the *French*. At Three o'Clock the Admiral made a Signal for the *Anne Galley* Fireſhip

to

to bear down to the *Real*, in order to board her, and burn her; but as ſhe came near the *Real*, the Enemy turned her Guns at her; and when ſhe was within a Cable's Length of the *Real*, Captain *Mackey* ſet fire. As ſoon as the *Real* ſaw her on fire, they poured into her Bows a Number of Shot, which immediately ſunk her; when ſhe ſunk, ſhe was not her Length from the *Real*, and went down all in a Blaze: There was loſt in her Captain *Mackey*, his Lieutenant, and Gunner. We at this time lay right a-head of the Enemy, with all our Rigging, Maſts, and Yards ſhot to pieces, and could not get the Ship about to aſſiſt the *Marlborough*, excepting our Stern Chace-Guns, which we kept playing warmly on the *Real:* but all this time we ſtood the Fire of ſix of our Enemies, raking us fore and aft, and thoſe noble Captains of the Ships before-mentioned never came to our Aſſiſtance; but I hope will meet with Juſtice.

THE Honour of the *Britiſh* Nation ſuffered much this day, by the Behaviour of the Commanders. I won't ſay it was Cowardice, or Treachery; but I leave that to the World to judge. Adm—l *R—wl—y* in the *Barfleur*, engaged the *French* Admiral, and obliged him to

run. The *Barfleur* was ſeconded by the *Princeſs Carolina*, which behaved very well; as did four or five more, which is the moſt I can ſay. We took one *Spaniſh* Ship of 64 Guns, and burnt her; her Maſts were all ſhot away, and her Hull all to pieces. We loſt in the *Namur* about 25 Men, and near 50 wounded; among which is our Captain *Ruſſel*, who loſt his Arm cloſe to his Body, but is likely to do well; the *Marlborough* had 40 killed and 100 wounded. What the reſt loſt, I cannot tell. The *French* and *Spaniards* conſiſted of 28 Sail of the Line, and 7 Frigats, Fireſhips, *&c.* Ours conſiſted of 28 Sail of the Line, 10 Frigates, and 2 Fireſhips.

HERE you have a Liſt of the Ships that engaged *, *Namur*, *Norfolk*, (bravely); as did the *Marlborough*, *Somerſet*, *Berwick*, and *Barfleur*; ——the *Princeſſa*, *Bedford*, and *Dorſetſhire* (badly). It may be obſerved, I have ſaid nothing of A——l *L——k*, nor of his Diviſion; and as I can't ſay any thing in that Admiral's Favour, I chuſe to be ſilent; but certain it is they did not engage. We ſaw the Enemy next Morning

* The Admiral's of the 29th *February*, printed in the *Gazette*, ſays, that the *Somerſet*, *Princeſſa*, *Dragon*, *Bedford*, *Kingſton* and *Berwick* engaged the *Spaniards* a-head.

Morning at a great Diſtance; they run away as faſt as they could, and being all clean Ships had the heels of us much. We are now in the Gulf of *Lyons* cruizing to get Intelligence of them. Nothing could behave finer than the Admiral, who expoſed himſelf all the time of Action, on the Arm-Cheſt, Quarter-Deck, and Round-Houſe. Captain *P——s*, of the *Dunkirk*, is ſuſpended; as I hope a great many more will ſoon be. The *Marlborough* is at *Mahon* ſo bad, that ſhe will not come out theſe four Months; the reſt of the Fleet will be out in four Days.

REMARKS

ON THE

NARRATIVE:

WITH

ANSWERS to that PAMPHLET.

IT is not now material to the Public to diſpute or deny the Diſpatch that was made by A—l *L*——*k*, in Equipping the Fleet for the Sea, while A——l *H*——*k* was out of Order. Nor that he defeated by his Vigilance and Conduct the Enemy's Deſigns by deſtroying their Embarkations, and preventing Don *Philip*'s getting into *Italy* by Sea, with ſtrong Reinforcements and Supplies to the *Spaniſh* Army. That the Fleet was kept in conſtant Readineſs and exact Diſcipline for Action and Service, which ſtruck a Panick in the *French* and *Spaniards* at *Toulon*: That he adventured into *Hieres* Bay, and was the firſt Officer that found it out to be ſo commodious,

dious, and well ſituated for the Preſervation of the Fleet from hard Gales of Wind and ſtormy Weather. That when his Majeſty's Service called Mr. *M*——*s* to be abſent from the Fleet, A———l *L*———*k* commanded it, becoming an Officer of his Judgment and Experience; always upon the look-out to annoy and diſtreſs the Enemy. That he judiciouſly detained the *Barfleur* from going to *Mahon*, at a time when the Enemy was very forward in their Equipment. Theſe Tranſactions have little or no Relation with the Engagement, or the Point in queſtion; and how much ſoever they may merit Applauſe, will not extenuate a Backwardneſs or Neglect in any other Service.——— But it can never be alledged, that Mr. *L*——*k* either burnt, or cauſed to be burnt the *Spaniſh* Galleys at *St. Tropez*, or the Seventy-Gun Ship at *Corſica*, ſecured and fortified *Nice* and *Villa-Franca*, from the Attack of the Enemy above two Summers. Neither can it be ſaid, that he ſtationed the particular Cruizers, which deſtroyed the Privateers, and took the vaſt Riches in the *Romney*'s and *Shoreham*'s Prizes. Mr. *Mar*——*n* received no Orders from him on his Expedition to *Naples*, where he forc'd Don *Carlos* into a Treaty of Neutrality; nor was the Republick of *Genoa* prevailed upon by him,

him, or in conſequence of any Orders from him, to ſend to *Corſica* all the *Spaniſh* Ammunition that had eſcaped our Cruizers.

THE Author of the *Narrative*, p. 4. wiſhes for a parliamentary Enquiry, and ſays, "As the "Miſcarriage is at leaſt of an equal Importance "with the unhappy *Porteous*'s Affair, and then "every thing will be ſeen to the bottom. Altered "and forg'd Log-Books will be diſcovered, by "whom ſuperviſed; together with the Subor-"nation of Evidence, to ſupport theſe Iniquities. "The known Partiality of Courts-Martial will "be baffled; the Prejudices and Paſſions of ſuch "Men, who ordinarily act either from Ambi-"tion and Intereſt, or falſe Gratitude and Af-"fection, will be triumphed over, *&c.*"

WE will not ſay that he is afraid of truſting his Cauſe to his Peers; for it is certain, that all Inquiries and Examinations into Affairs of ſuch Importance, are calculated for the Service of the King, and the Advantage of the Subject. But it may happen, that other important Services, more immediately neceſſary for the Support and Well-being of the Nation, will not admit of ſuch a parliamentary Inquiſition: beſides, this very

very properly comes within the Province and Juriſdiction of our Courts-Martial enacted by Parliament.— It will ever be acknowledged, that Men of the ſame Profeſſion, who have been trained up and educated in the Service, ſpent their whole Life-time in acquiring Knowledge and Experience, are better qualified and able to be Judges, than Men that are unacqainted with the Laws of War. And, no doubt, it was for this Reaſon, that the Wiſdom of Parliament have conſtituted theſe Courts of Enquiry to conſiſt of Sea-Officers, as the proper Judges of all ſorts of Neglect of Duty in Naval Affairs, the Breach of Diſcipline, or the Violation of the Articles of War; and have accordingly empowered them to give Sentence againſt all ſuch negligent Perſons, wherever the leaſt Crime ſhould appear. Here their Honour and Conſcience are at ſtake; their Life, their Reputation, Eſtate, and every thing dear to an honeſt Man, in a great meaſure depend on their Juſtice, and Impartiality: And can it be imagined, that they will ever ſuffer an Officer, who has deſerved well of his King and Country in the Execution of his Duty, to fall a Sacrifice to Whiſpers, deceitful Inſinuations, and falſe and private Accuſations.——This can never be preſumed; why then theſe baſe Imputations?

tions? When it is more reaſonable to expect, that the Infirmity of human Nature would lead them to be compaſſionate and indulgent, tender and careful of the Honour and Reputation of the Brotherhood *, than to convict without Evidence, and to condemn without Mercy.

THE Author of the *Narrative* exults and expreſſes his Surprize that Mr. *L———ck*, who by his Account deſerves a Triumph more than a Suſpenſion, was not ſuſpended for his Miſconduct the Moment after this unfortunate Miſcarriage; but on the contrary, ſuffered to continue in his Authority next day, when a more general Action was expected. This appears to be a certain Proof of A———l *M———s*'s Moderation and Patience: Probably Miſconduct, even conſidering the A———l's Situation, did appear on the Day of Action; but more and more Proofs offering afterwards by frequent neceſſary Informations and Enquiries, yet as there never had been any great Harmony and Agreement between them, an extraordinary Delicacy to prevent the leaſt Suſpicion of Malice prevailed upon A——l *M——s* to ſend A—l *L—k* Letters ſtating the Facts: and as the Anſwers thereto did not give Satisfaction,

* The Caſe of the Earl *Torrington*, when tried at a Court-Martial for the Loſs of the Battle of *Beachy-Head*.

Satisfaction, or juſtify the accuſed Gentleman's Conduct, after mature Deliberation, in ſupport of the King's Service, and in conſideration of the dangerous Conſequences of Miſconduct for the future in the Performance of the Public Service, made the Suſpenſion abſolutely neceſſary. To have continued A——l *L*——*k* in his Authority, after an Accuſation of ſo heinous a Nature, without being enquired into, might have turned out, if poſſible, a greater Grievance and national Calamity; and what A——l *M*——*s* could not have anſwered to his Royal Maſter and his Country.

Page 13, NARRATIVE.

" A——L *M*——*s* in the Year 1721, " was diſpatch'd on an Expedition to the *Eaſt-* " *Indies*, and returned home again in the Year " 1724; after having executed the Errand he " was ſent on to ſo good a purpoſe, that the " *Eaſt-India* Directors never afterwards made " any Application for any more of His Majeſty's " Ships to go into thoſe Seas to protect their " Trade. He had the Reſignation to live " Eighteen Years a-ſhore, and ſee many junior " Captains made Admirals; but now ſuch was

" the Exigency of the State, *and his great Expe-*
" *rience*, that he was prevailed upon to go to
" Sea; and he was appointed Vice-Admiral of
" the *Red* Squadron of His Majeſty's Fleet, and
" Commander in Chief in the *Mediterranean*."

A DIGRESSION from the Subject, ſo invidious and rude, brought in without any Shew of Reaſon, deſerves no Anſwer; the Intention of it is plain and obvious, and needs no Explanation to detect the Malice: and it is to be wonder'd at, that a Remark of this kind ſhould come from that Quarter.——However, it is to be obſerved, that A——l *M*——*s* upon this occaſion was only reſtored to his proper Rank in the Navy, what his Services and Merit entitled him to. In a Letter lately publiſhed, there is ſomething extremely applicable, which we tranſcribe in anſwer to this Paragraph. " As it is a known Maxim
" of our Law, That the King can do no wrong;
" founded, as I apprehend, on the Perſuaſion
" that the Crown never does ſo, but from the
" Miſinformation of thoſe whoſe reſpective Pro-
" vinces are to inform His Majeſty of the par-
" ticular Affairs under their Care: The firſt
" Suggeſtion that naturally occurs to an Officer
" that has the fulleſt Teſtimony in his Cuſtody
" of

" of having happily ſerved His Majeſty in the " Command he was intruſted with, to his Royal " Approbation, is, That your firſt Commiſſioner " muſt either inform his Majeſty that I was " dead, or have laid ſomething to my Charge, " rendering me unfit to riſe in my Rank in the " Royal Navy."

A LONG tedious Digreſſion about Academies, altogether foreign to the Relation, and the Title of the Pamphlet, is inſerted purely to make a Compliment, at the Expence of a worthy Gentleman, univerſally eſteemed, who never failed in the Execution of his Duty, or neglected taking the neceſſary Meaſures that were in the power of the Governour of the Academy at *Portſmouth*, for the Inſtruction of Youth, and training them up in the Service.

THE next Obſervation of Spleen and Ill-nature ſhews itſelf, when Mr. *R—wl—y* hoiſts his Flag; which Promotion, it ſeems, obliged a ſenior Captain to reſign his Commiſſion, and leave the Service; a Gentleman of great Experience and Merit, according to the Narrative.—On the contrary, this Pamphlet ſays, that A——l *R—wl—y* having been always employ'd on the *Iriſh* Station

till hitherto, had not the opportunity of acquiring Experience and Knowledge in his Profeſſion. What can ſo much Envy and Reflection proceed from? Since this worthy Officer in the Battle behaved with extraordinary Bravery, and great good Conduct; in which he has deſervedly met with the Applauſe of his Sovereign, and the general Eſteem of Mankind, and now juſtly rewarded with the Command of His Majeſty's Fleet in the *Mediterranean*, as an Admiral who has proved himſelf to be well qualified, and equal to ſo extenſive an Undertaking.

THIS Author is very frank in extolling, and dwells tediouſly on the Praiſes of particular People, while he ſpits out the Bitterneſs of his Heart with great Gall and Impartiality, at others equally deſerving, at leaſt in ſome Part of their Conduct by his own Confeſſion; ſuffering no Opportunity to eſcape him where he can poſſibly fling a bitter Invective, and prove his Envy and Aſperſion.

THE Fleet, before it ſailed out of *Hieres-Bay* in purſuit of the Enemy, was allowed even by him to be in great good Order, all the neceſſary Preparations excellent and prudent in their kind

kind made, for the Attack and Overthrow of the Combined Fleets; Cruizers ſtationed at the Iſland ot *Porquerole* and *Toulon* Harbour, to obſerve every Motion that the Enemy made. Many different Officers are applauded; but the Principal, by whoſe Orders they acted, and were directed, and by the ſtrict Execution of which they received his Approbation and Praiſe, is never mentioned ſuitable to his Rank and Merit, or indeed with common good Manners.——After ſo obvious a Partiality, who can depend on any Part of his Relation, when Prejudice and Paſſion are ſo notoriouſly predominant, and he is thus tranſported beyond the Bounds of all Decency and Decorum. The Impatience of many of the Ships the ſecond Day they got under Sail, is expatiated upon, as if the Admiral was anſwerable for the Faults of others, and the bad Conſequences of too much Spirit, Warmth, and Eagerneſs; or could have foreſeen that a Calm would have enſued in the Grand Paſſage, with ſo a high Sea, to have endanger'd thoſe Ships falling on board of one another.

BEING very little Wind all Day, ſo as not to be able to come up with the Enemy, the Admiral at Night made the Signal for the Fleet

to

to bring to on the larboard Tack. Here the *Narrative* affirms, that the Fleet was not at all formed in a Line of Battle, nor in a Diſpoſition to receive an Enemy; the Rear-Admiral's Diviſion being ſtraggled, and a great way a-ſtern of the Center, and the Vice-Admiral's Diviſion, neither of which were cloſed, nor a-breaſt of one another. Contrary to this, the Account by Authority does not complain of the Backwardneſs or Slowneſs of the Rear-Admiral and his Diviſion; but obſerves, that our Center was ſo near the Enemy, that the Admiral could count the Enemy's Ships after the Moon was down, but could not at the ſame time ſee Vice-A——l *L——k* and his Squadron; he having brought to ſo far to Windward, that when it was Dawning, and the Admiral had made Sail, and the Signal for the Line a-breaſt, the Vice-A——l was full five Miles a-ſtern of him.

IN this, ſome private Accounts agree; likewiſe the Accounts from the *Nor——k* and *R——t*. The Queſtion then which ariſes here, is, If A—l *L—k* had been ſo near the Enemy with his Diviſion a-breaſt with the Center, ſo as to be able to count their Ships, whether he would have been at ſo great a Diſtance in the Morning from A——l

A——l *M*——*s*? Or if he he obſerved himſelf to be that Diſtance a-ſtern of the Admiral, when the Signal was made to bring to, whether the Rules of Diſcipline, War, and Policy did not require him to keep all his Sail abroad, until he was up a-breaſt, and cloſed well with the Center, before he brought to with his Diviſion?

IN Order to captivate and enſnare the Ignorant the more, greater Streſs than ordinary is laid on Order and Diſcipline, a Line of Battle at large is explained, the Advantage of its Cloſeneſs and Exactneſs; the formidable Strength, in being at all times able to aid and aſſiſt one another in repulſing the Enemy, are often repeated. In ſupport of theſe Maxims, the Inſtructions are often quoted; the ſad Conſequences of breaking the Line of Battle are mentioned; and the abſolute Neceſſity of frequently exerciſing the Fleet, and drawing it into Lines of Battle, agreeable to the Cuſtom of the Navy, and the Inſtructions given to all Admirals.

PROBABLY the *French* did equip Veſſels on purpoſe for the Inſtruction of their young Officers: That the Admiral did not exerciſe the Fleet ſo frequently as his Inclinations led him to do,

do, proceeded, perhaps, from the many different Irons he had in the Fire, which rendered it inconſiſtent with the neceſſary Services elſewhere. His Majeſty's Commands, the Diſpoſition of the Enemy, his Duty in regard to their Motions, the Number of Cruizers continually employed on ſo many different Stations, to execute the different Duties required of him, the Neceſſity of Guarding well the Coaſts of *Catalonia*, *Provence*, *Italy*, and allowing for diſabled Ships, would not ſuffer their being together to practiſe theſe Exerciſes. Add to this, the Neceſſity of the Admiral's Abſence with ſome Part of the Fleet at *Genoa* and *Villa-Franca*; performing Services, which would admit of no Delay, and were indiſpenſibly neceſſary towards the Preſervation of the Liberties of *Europe*, and to *Italy*, his particular Charge.

HIERES-BAY, according to the *Narrative*, was the grand Rendezvous, where the Cruizers after being relieved came, were victualled, wooded, water'd, refitted, and then ordered to Sea again. Indeed the Three-deck Ships conſtantly lay there, (which were not above eleven Sail) more than they would have done, for fear of being crippled and diſabled, as Stores

of

of all kinds were wanted, the Admiral's Judgment would not ſuffer him to hazard them at Sea, as the Conſequences might have been very fatal, and by ſuch a Meaſure perhaps have given the Enemy the ſuperiour Strength. All the Two-Deck Ships were continually employed on different Stations in ſupport of the King's Allies, and preventing the *Spaniſh* Army in *Italy* from receiving Supplies and Reinforcements. To have called them in merely for the ſake of Exerciſes of this ſort, and thereby neglected theſe important Services, and His Majeſty's expreſs Commands, might have given a certain Advantage to the Enemy, in letting ſlip an Embarkation on which depended the Fate of *Italy:* Such a Conduct could never have been prudent, nor what the Tenor of the Admiral's Inſtructions would ſuffer him to do. ——— It is eaſy to find fault, and caſt Reflections; that, every empty-headed Man has in his power to do: But the point is, whether he does it juſtly or unjuſtly, and whether his Obſervations and Cenſures will bear a diſpaſſionate Examination. Every impartial Perſon will acknowledge that the Strength of our Fleet in the *Mediterranean*, was but very little ſuperior to the Force of the conjunct Fleets; the various Services, beſides being only a Match

for the Enemy, which equally required the Admiral's Care and Attention, prove the Severity of his Taſk, with the Diſadvantages and Difficulties of performing all the Services expected of him. The Ships were foul, they could not poſſibly keep the Sea perpetually; neither would the Admiral's unhappy Situation, nor the Condition of the Enemy, ſuffer him to ſend Ships to *Minorca* to be cleaned and refitted. The Coaſt was kept lined and guarded. His Complaints to the Sec——ry of S——te and L——ds of the Adm——lty repreſenting the Neceſſity of ſending him Supplies of Ships and Stores, were frequently repeated and juſtly ſtated; but nevertheleſs we find him left to ſtruggle with theſe almoſt inſurmountable Difficulties, and to overcome them how he could. In ſo vigilant an Exertion of every Part of the King's Commands, we ſhould rather wonder, how he was able to do ſo much; conſidering his unfortunate Circumſtances, and reiterated Applications for Redreſs, without the good Fortune of Succeſs. This is not all; the Buſineſs of Plenipotentiary to the ſeveral Princes and States of *Italy*, took up a great part of his Time; ſo that from Four o'Clock in the Morning till late at Night, he was for ever employed in diſpatching and receiving, and executing, according

to

to the different Intelligence, the wiſeſt Meaſures to be taken thereon.———All his Time being devoted to the Service of his King and Country.

WE find it to be the latter End of *December* 1743, when he returned from *Turin* to the Fleet at *Hieres*. Before which time, in conſequence of the Enemies Preparations, Expreſſes had been ſent every where, to gather all the Strength together, to be able to encounter with the Enemy; and it was the Beginning of *February* before all the Line-of-Battle Ships arrived: a near Pinch, as the combined Fleets came out to Sea the 8th of the ſame Month. This was the firſt time that ſo many of our Ships had been together, ſince the Admiral commanded them, and the only time that the Exigencies of His Majeſty's Commands, and the Security of his Allies would admit of it; conſequently exerciſing the Fleet in a Line of Battle, was for the above Reaſons render'd till now impracticable.

IT is to be obſerved, that the Account by Authority mentions the Diſtance the Vice-Admiral was from the Admiral on the Day of Battle. The Account from the *N—k* ſays alſo,

that the Vice-Admiral's Diviſion was a great Diſtance from the Center; and that the Van of our Fleet, meaning the Rear-Admiral's Diviſion, was not ſo well cloſed with the Center, as it ſhould have been. And the Account from the *R———t* ſays, that the Vice-Admiral, and his Diviſion, could not come into the Line of Battle; from which it is certain, there was ſuch a Diſtance between the Center and the Rear of our Fleet as five Miles.———But none of theſe Accounts mention, that the Center was not in a proper Diſpoſition to attack the Enemy; quite the contrary: whereas the *Narrative* affirms, not only the Van and Rear of the Fleet to be in Diſorder and Confuſion; but that the Center was not cloſed conformable to the Fighting Inſtructions and Diſcipline; and as it out-ſailed the Wings, and continued its Courſe in Diſorder, without ever laying by for them, the Neglect or Fault of not forming is very obvious, and may juſtly be imputed to the Center. With regard to the Conjunct Fleet * out-ſailing our Fleet, it is univerſally acknowledged: and that the *French* Admiral made Sail, going very faſt from us, leaving the *Spaniſh* Ships a good way a-ſtern of him,

* Account by Authority, *Narrative*, *Rupert*'s, *Norfolk*'s, and *Namur*'s Letter.

him, by which means a fair Opening was left for intercepting and cutting off the *Spaniſh* Squadron from the Center of their Fleet. Whether this Miſconduct proceeded from the Overſight of the *Spaniſh* or *French* Admiral, is not material; but ſo it certainly happened, and is acknowledged to be ſo by the Particular Account, *&c.* The Father of the Narrative. What impartial Perſon then can blame A———l *M*———*ws* for bearing down to ſnatch ſo eaſy a * Victory? For, ſurely, no one will diſpute that the Deſtruction of the *Spaniards* was not by this Conduct rendered very practicable; and had every Officer done his Duty, and taken his proper Share of the Battle, nothing could have prevented their total Overthrow;—— which had all the happy Omens of an Action glorious in the Performance, and extenſive in its Conſequence. Did not then all the Rules of War, and Prudence, prompt the Admiral to this

* M. *de Court* ſays, in his Letter to the Biſhop of *Rennes*, that at the Beginning of the Battle he ſaw only the *Orient* following the *Serious*, and the *America*, which followed the *Orient*, which were in the proper Poſts; there was a great Void between this laſt Ship and thoſe that preceded the *Royal Philip*, and a much greater between thoſe that followed her; and this Confuſion induc'd Admiral *M*——*s*, who was on the very Point of attacking the *French* Admiral, to tack with the ſtrongeſt Ships, to ſurround the *Royal Philip*, and the four Ships with her.

this Attack? eſpecially when he deſpaired of coming to a general Engagement, and ſaw that M. *de Court* by his way of acting was endeavouring to draw him down the *Streights*; where, according to all Reports, when the Fleet left *Hieres*, he would have been in the direct Road to meet with a Reinforcement from *Breſt*: Having ſo certain an advantage, as all clean Ships, while moſt of the *Britiſh* Squadron were foul: by which Superiority the combined Fleets could run or purſue at pleaſure. Above all, what the Admiral had to fear, was the carrying on an Embarkation in his Abſence from his proper Station: there were four *Spaniſh* Ships of the Line of Battle left at *Toulon*, perhaps for that very purpoſe; and there were already a great many Tranſports retained in their Service. It would have been no difficult matter for the *French* to have mann'd theſe *Spaniſh* Ships, eſcorted the Tranſports, and landed the Troops very ſafe in *Italy*, which was the grand Point that the Admiral had to guard againſt; his principal Inſtruction to hinder the Execution of the ambitious Views of *Spain*, the Sacrifice of the Houſe of *Auſtria*, and to do all that was poſſible for him to do for the Support and Security of his *Sardinian* Majeſty, on which depended the Liberties

berties and Fate of all *Europe*.——But ſuppoſing this was not the caſe, and the Narrative's Aſſertion was true, that the *French* Admiral's Intention plainly appeared to be, by continuing his Courſe to the Southward with all his Sail ſet, to deprive our Fleet of the Advantage of the Wind, and to ſecure it to himſelf, that he might make the proper uſe of his Fireſhips, upon which both *French* and *Spaniards* had great dependance; yet even in this Situation, the wiſeſt Step the Admiral could poſſibly take, was to begin the Engagement, and not let ſlip ſo favourable an Opportunity; ſeeing, if he delayed it any longer, the Combined Fleets in that caſe from being clean and out-ſailing him ſo much, would have ſoon got the advantage of the Weather-Gage, then made uſe of their Fire-Ships, probably overpowered us by great Numbers of Men, if boarding had been practicable, and executed all the other Stratagems they had been ſo long preparing for: In either of theſe Caſes, the Courage and Conduct of the Admiral were equally conſpicuous.

THE View which the *Narrative* gives of the Fleet, immediately before Action, is very unjuſt; the Admiral's Diviſion were not all of them a-

breaſt of the *Spaniſh* Squadron : for Five of the Sternmoſt Ships of the Enemy were a-breaſt of the Vice-Admiral's Diviſion.—Nor was the Van of our Fleet divided, or wide one of another, in the manner this Writer deſcribes.—'Tis true, that Rear-Adm——l *R—wl—y* ſtretch'd with his Diviſion to the Southward, in order to extend the Fleet for forming the Line of Battle ; which when he had done to a proper Diſtance, the Admiral made his Signal to lead large : conſequently it was his Duty to obey Orders, in keeping a-breaſt with the Center, and bearing down to engage the Enemy.

IN the Battle the *Real* was totally diſabled, and lay like a Wreck in the Sea. Her Seconds were torn alſo to pieces, and put to flight, together with a Sixty-four-Gun Ship which ſtruck to the *Berwick*, and next Night was burnt : ſo much is confeſſed to have been done by the Admiral's Ship, the *Marlborough*, *Norfolk*, and *Berwick*. The other Ships a-head in his Diviſion are reflected upon, and laſhed with great Severity, for not doing their Duty ; and the Ships a-ſtern of the Admiral are grievouſly impeached, and their Captains loaded in their Reputation beyond Meaſure.——It is not our Intention to vindicate theſe Gentlemen ;

Gentlemen; we can only expreſs our Aſtoniſhment, if it was really ſo as it has been repreſented, that they are kept in Authority, not ſuſpended, broke, nor put to death: and if A———l *M*———*ws* was ſo ſevere and rigorous to a *blameleſs Gentleman of a ſuperiour Rank*, why he ſhould be ſo remarkably partial to Men capable of Cowardice and Treachery, betraying the Glory of their King, the Intereſt of his Allies, the Liberties of *Europe*, the Honour of the Nation; and after behaving remarkably well on all other occaſions, now became the Curſe and Bane of their Country?—This is what we can never bring ourſelves to believe, and what can never be found true, at leaſt nothing can juſtify ſo much public Calumny but Conviction itſelf.

WHAT helps to contradict this Part of the Relation, is the Readineſs that A—l *M*——*ws* ſhewed in bringing others to anſwer at a Court-Martial, who were accuſed of Miſconduct, Neglect, and Breach of Orders; but after an Enquiry, were honourably acquitted. Can it be thought then, he would be leſs juſt to his King and Country, nay even to himſelf, while he had power, and ſuch Articles of War were in force as follows? *viz.* 11, 12, 14, and 16.

(11)

EVERY Captain, Commander, and other Officer, Seaman, or Soldier of any Ship, Frigate, or Veſſel of War, ſhall duly obſerve the Commands of the Admiral, or other his Superiour or Commander of any Squadron, as well for the aſſailing or ſetting upon any Fleet, Squadron or Ships of the Enemy, Pirate, or Rebels, or joining Battle with them, or making Defence againſt them; as all other the Commands of the Admiral, or other his ſuperiour Commander; upon Pain to ſuffer Death, or other Puniſhment, as the Quality of his Neglect or Offence ſhall deſerve.

(12.)

EVERY Captain, and all other Officers, Mariners and Soldiers of every Ship, Frigate, or Veſſel of War, that ſhall in time of any Fight or Engagement, withdraw or keep back, or not come into the Fight and engage, and do his utmoſt to take, fire, kill, and endamage the Enemy, Pirate, or Rebels; and aſſiſt and relieve all and every of His Majeſty's Ships; ſhall for ſuch Offence of Cowardice or Diſaffection, be tried and ſuffer Pains of Death, or other Puniſhment,

as

as the Circumſtance of the Offence ſhall deſerve, and the Court-Martial ſhall judge fit.

(14.)

WHATSOEVER Perſon or Perſons, in, or belonging to the Fleet, either through Cowardice, Negligence or Diſaffection, ſhall forbear to purſue the Chace of any Enemy, or Pirate, or Rebel, beaten or flying; or ſhall not relieve, or aſſiſt a known Friend in view, to the utmoſt of his power, ſhall be puniſhed with Death, or otherwiſe, as a Court-Martial ſhall find fit.

(16.)

ALL Sea-Captains, Officers, and Seamen, that ſhall betray their Truſt, or turn to the Enemy, *&c.* ſhall be puniſhed with Death.

THE Author of the *Narrative* invokes Heaven, that five Sail of *Spaniſh* Ships ſhould withſtand the Force of thirteen *Britiſh*; alledging, there were no more of the *Spaniſh* Ships that engaged, as three of their Squadron were gone with the *French*; and the four ſternmoſt were not yet come up, which were ſeven out of the twelve Sail. How could there be thirteen to five? When he ſays himſelf, that only the Admiral in

the *Namur*, the *Marlborough*, *Norfolk* and *Berwick*, were the Ships that did any real Service; all the others keeping their Wind, throwing their Shot idly away, and expoſing themſelves to the Public Contempt and Ignominy. At this rate, according to his own Story, there were only four *Britiſh* to five *Spaniſh*.

BY the ſame Account, the Rear-Admiral and *Princeſs Caroline* his Second, are allowed to have behaved well; tho' with a ridiculous and unjuſt Reflection it is ſaid, that the *Barfleur* cut away her Lee-Anchors, by which this impartial Author would have the World believe there was no occaſion for this Policy, as it was of no ſervice, nor could poſſibly anſwer the purpoſe it was intended for. The *Boyne* and *Chicheſter* are condemn'd for keeping to Windward, and firing at a diſtance, where it was impoſſible their Shot could do Execution. The Falſeneſs of this Aſſertion appears from the *Boyne*'s Maſt being very much wounded.

THEN the *Naſſau*, *Warwick* and *Sterling-Caſtle*, are allowed to have done good Service, in preventing the *French* Squadron from tacking, and deſtroying our Van, which was very much inferiour to the Enemy: However, in doing this,

this the Author obſerves, they broke their Orders, by not obeying the Signals for the Line of Battle, and engaging the Enemy ; which Exploit at firſt was complained of, but after Examination exceedingly applauded. Admitting it was really ſo, which was far from it, the good Conſequences perhaps of this Conduct was not from the Beginning perceived ; but when it appeared that the Superiority of the Enemies Force in that Quarter was thereby render'd inſignificant, as they could not come to attack our Van, or to the Relief of their own Rear, the *Spaniards*, who at that very time ſeemed to be in a fair way of being entirely deſtroyed, without the proſpect of an Eſcape ; why was not ſuch an Action worthy of Praiſe, as the only poſſible Method to ſave our Van, while our Center and Rear compleated the Overthrow of the *Spaniſh* Squadron ?

THE Story of *Douglas* dying a Martyr to Diſcipline, is improperly quoted ; and at the beſt, it does not deſerve Approbation or Applauſe : for it was an Act of meer Frenzy and Diſtraction, as it can never be the Duty of an Officer to ſacrifice his own Life, and thoſe of his Men under him, out of a romantic Bravery ; when inſtead of diſtreſſing the Enemy by ſuch Raſhneſs,

which perhaps not involves his own Deſtruction, but includes the whole, the Country muſt ſuffer by the Loſs of ſo many brave Men. Whereas by taking the oppoſite Meaſures, as the Van of our Fleet did, they not only turn out to the general Preſervation, but to the Loſs and Ruin of the Enemy. Therefore there can be no great Difficulty or Heſitation, which of the two to chuſe; and we cannot agree with Mr. *Burchett*, who has handed down to Poſterity the Fate of *Douglas*, as an Example of Diſcipline worthy of Imitation.——Inſtead of which, we rather eſteem it an Act of Madneſs, and that it became the Captain to leave his Ship the Moment he ſaw her beyond his Endeavours to ſave her from being burnt. It was all that could be expected from him: an Officer is to command Succeſs where it is poſſible, and to omit nothing in his power where it is not ſo. However, for this reaſon he is not to neglect his own Preſervation; eſpecially as his Death adds to his Country's Loſs. Hence it was no more his Duty to continue in his Ship, than for a Captain to ſuffer himſelf being drown'd, becauſe he finds the Ship he commands irrecoverably ſhipwreck'd. And this is what we would not recommend, nor extol as an heroic Action; no more than we would a

Man,

Man, who, thro' Frenzy and Deſpair piſtol'd himſelf.

THE *Marlborough*'s Eagerneſs to preſerve the *Britiſh* Flag from Danger, was truly meritorious, as where the Honour and Glory of the Nation were principally at ſtake; which, however, to prevent her falling on board of the *Namur*, was attended with the Conſequence of the Admiral's being obliged to fill his Sails. The *Narrative*, tho' it mentions the Admiral's Reſolution with all imaginable Praiſe before, takes this Opportunity, by a ſcandalous Paragraph in *Italick*, to malign, and fix an Imputation on the Admiral, as if he had left the *Marlborough* to maintain the Fight alone, *viz.*

" *The Admiral was not long before he clapt upon* " *a Wind, no doubt to give the neceſſary Orders* " *ſuitable to the preſent Exigencies, and the Diſ-* " *poſition of both Fleets, as well as being long in* " *the Heat of an Action, where eight of his Men* " *were killed out-right; ſome of which were by* " *the blowing up of a Cheſt of Muſket-Cartridges* " *upon the Poop.*"

THERE

THERE is ſomething exceedingly baſe and ungenerous in aſperſing the Character of an Admiral, who gave as great Proofs of his Courage and Conduct, as any Admiral could do, who began and continued in the Heat of the Battle, until Neceſſity drove him away; and by all Accounts he was perfectly cool and temperate; and to the laſt gave his Orders with the utmoſt Serenity and Propriety, in which appear'd the Skill and Capacity of a great Officer. What then could induce, or leave an Opening for this Writer to leſſen the Reputation of an Admiral, that had done every thing that could be expected from a wiſe and gallant Commander, is impoſſible for Mankind to ſuggeſt? but we think his Calumny is impardonable, and ought not to be ſuffered. Moſt of his other Miſrepreſentations have ſome ſpecious Pretence, or Gloſs, to make them go down; but here his Envy and Ill-nature get the better of his Common Senſe, and ſerve to ſhew what Untruths and Abſurdities he would impoſe upon his Reader.

IT is notorious, that the Admiral had quite diſabled the *Royal Philip*, and put one of her Seconds to flight, when the *Marlborough* unfortunately

tunately had like to have fallen on board of him, at the ſame time the Admiral's Maſts were much wounded, the Rigging cut fore and aft, new Braces reeved three ſeveral times, the Main-maſt only ſupported by two Shrowds, all the Maſts in general ſhot thro' and thro'; ſo that it was ſome time before the Ship could be commanded or work'd, which prevented the Admiral returning ſo ſoon to the *Marlborough*'s Aſſiſtance, as his Inclinations and the Merit of Capt. *Cornwall* led him.——The Account by Authority ſays, the Admiral was engaged a little time; an Exceſs of Modeſty and Delicacy when he mentions himſelf: while, on the other hand, his Candour and Juſtice expreſſes more fully the heroic Courage and generous public Spirit of the unfortunate Capt. *Cornwall*, whoſe melancholly Fate he ſo juſtly laments. The Number of Men that the Admiral had killed are leſſened, the better to inſinuate, that he withdrew very ſoon from the Battle: However, as the Enemy fired at the Maſts and Rigging, and had trained up their Gunners in daily Exerciſes at a Mark for that purpoſe, (the ſureſt and readieſt Means to haſten an entire Victory, either in boarding, ſetting fire to, or otherwiſe, as our Deſtruction, and falling into their hands could have been

brought about) no Judgment of the Time in Action can be formed from the Number of Men killed, ſince it is certain the Enemy aimed all their Shot aloft, where if they hit, they were the more ſure of over-coming, or facilitating a total Overthrow

THOUGH the Practice of the Navy will not admit, but that the Admiral ſhould ſhew an Example and fight himſelf; yet to abſtain from Partiality and Prejudice, in order to do the Author of the *Narrative* Juſtice in the Character he aſſumes of the Marine Officer, we confeſs his Obſervation to be very good and juſt, (which we cannot forbear tranſcribing on this Occaſion) where he ſays, *viz.* "There ſeems to be an abſolute "Neceſſity, that an * Admiral in Command "at Sea, like a General poſted on ſome Emi- "nence, ſhould not be taken up (ſo triflingly) "in fighting ſo ſmall a Share of the Fleet as that "of his own Ship, where his Perſon is not only "hazarded, in which all the Plan of Operation "is center'd; but in the Heat of Action and "Smoak, being in the Line of Battle, he can- "not poſſibly ſee or judge how to make pro- "per Signals for the Deſtruction of the Enemy, "and to teach all Inferiors, where he would "have

* Commander in Chief.

" have them aid or repulſe. Why was not there-
" fore the Admiral placed in a Frigate at ſome
" diſtance off from the Center, where he can but
" diſtinguiſh with a Boat, and an Officer from
" each Ship to wait his immediate Commands,
" and to fly to put them in Execution? In this
" manner the Great *Peter*, Czar of *Muſcovy*,
" fought, who was as good an Admiral, as he
" was allowed to be a Soldier."

WE are glad we have it in our power to acknowledge, if ever ſuch a Propoſition ſhould contribute towards ſo ſerviceable an Alteration in the Navy, the Public, who may have been otherwiſe miſled by him, may frankly for the ſake of this, forgive all his Miſrepreſentations.

THE *Marlborough*'s Praiſes are continued for ſtanding the Brunt of the Battle, and reſiſting the Enemy, after ſhe had loſt her Maſts; and the Reflections repeated eſpecially on the Ships a-ſtern of her, that kept to Windward, and did not come down to her Aſſiſtance. While the Admiral was abſent from Battle, repairing his Rigging, that he might be enabled to work his Ship, and ſecure his Maſts and Yards from tumbling about their Ears, Officers

were ſent on board of the *Dorſetſhire* and *Eſſex*, as well as the *Ann-Galley* Fire-ſhip, as it is ſaid, with * Orders for them to go down to the *Marlborough*'s Relief. The *Somerſet*, whoſe Station by the Line of Battle was the third Ship a-head of the Admiral, is blamed for leaving it, and not being at hand ready to have gone and ſeconded her Chief, as well as aſſiſted the *Marlborough*. The Truth is, that the *Somerſet* having engaged two *Spaniſh* Ships at the beginning of the Action, that cloſed with the *French* Squadron and kept under Sail with them, was in the Heat of Battle carried too far a-head; where the Captain behaved with uncommon Reſolution and Bravery, having had to deal with a Ship on each ſide of him. In doing which, he could not foreſee that he ſhould be wanted, as when he attack'd there were no Ships excepting them for him to take up: and by this Gallantry he ſupported the Rear-Admiral in the Van of our Fleet, as the Enemy's Force was greatly ſuperior to his. If this

* *Narrative*, pag. 62. Likewiſe the Letter from the *Namur* ſays, The Admiral ſeeing that the *Dorſetſhire*, *Eſſex*, *Royal-Oak* and *Rupert*, did not bear down to his Aſſiſtance, ſent his Boat on board of the *Dorſetſhire*, to order them to bear down, and engage the Enemy; but her Captain did not think proper. The ſame Boat call'd on board the *E*——, and deſired them likewiſe; but the C——n, *&c.*

this Action does not deſerve Applauſe, it does not Reproach, nor Cenſure: for the Queſtion is, whether it is the moſt commendable for an Officer to lie idle in the Station allotted him by his Superior, and thereby perform no manner of Service; or by ſwerving a little, diſtreſs the Enemy and ſerve his Country? It being impoſſible to fix any certain Rule to the many different Occurrences that happen in Battle, and therefore ſomething ſhould be left to the Judgment and Experience of the Captain.

THE *Narrative* aſſerts, that the Miſcarriage of the Fireſhip proceeded from her not being covered and protected, and not having a proper time allowed her Commander to prime, but that he was obliged to go down upon the Enemy unprepar'd, priming his Ship all the way he went with looſe Powder, through the Stupidity of his Lieutenant. There is nothing more falſe than theſe Aſſertions. The Admiral, the Moment he was forced away from the Fight by the *Marlborough* made the Signal for the Captain of the Fireſhip to prime his Ship, which Signal he had been before acquainted what it would be; yet notwithſtanding ſo plain a Direction, he miſapprehended it. Then poſitive Orders by an Officer,

were

were deliver'd to him for to prime with all poſſible Diſpatch, and to go immediately down upon that Service: from which time to that when the Fireſhip blew up, was not leſs than two Hours, half an Hour more than the time neceſſary according to this Writer's * Judgment. If ſhe was primed with looſe Powder, this is an Imputation on the Captain, whoſe Duty it was to have at leaſt ſeen his Ship properly primed, if he did not on ſo important a Service, where ſo much was at ſtake, put his hand to, and aſſiſt therein himſelf.—And with regard to her not being cover'd †, the Admiral himſelf went down with her; and when ſhe blew up, he was not above a Piſtol-ſhot from her, and a ſmall Muſket-ſhot from the *Royal Philip*.

IT is certain, that the Captain of the Fireſhip, however diligent hitherto he had been in the Execution of his Duty, and every Service he was employed on, by which he had raiſed himſelf; in this, nothing is more true than that he was notoriouſly ‖ tedious, and trifling: ſo far from going

* *Narrative*, page 66, ſays, that Priming will take an Hour and a half.

† See Account by Authority, and *Norfolk*'s Account.

‖ *Norfolk*'s Account ſays, that the Captain's Want of Readineſs and great Delay, were the principal Cauſe of preventing

going down with that Expedition, and Alacrity that might have been expected of him, and which the Nature of the Attempt required to bring Succeſs. This Neglect and Dilatorineſs, with the Negligence and Paſſiveneſs of the Ships a-ſtern of the Admiral, gave time for the four ſternmoſt Ships of the Enemy to come up, which in their way paſſed by Vice-Adm——l *L*————*ck* and his Diviſion, and kept a continual Fire on the Fireſhip, which muſt have* ſunk her, had ſhe not blown up. We would not rip up the Aſhes of the Dead, nor endeavour to fix the leaſt Imputation on the Memory of a Gentleman who loſt his Life in his Country's Cauſe, and probably ever before this unhappy Tranſaction behaved as becomes an Officer of Prudence, Diſpatch, and Gallantry :

venting the Execution of this Enterprize at the ſeaſonable Time order'd and expected.—And by ſome unlucky Accident or other ſhe blew up along ſide of the *Real*; therefore it is to be obſerved, how moderately this Neglect is expreſſed in the Account by Authority, with regard to the Memory of the deceaſed Captain.

* The *Norfolk*'s Account ſays, that all her way down the Enemy kept conſtantly firing at her; nothing was left unexecuted in the power of the Admiral and *Marlborough* for her Protection: yet ſhe unhappily miſcarried, not without poſitive Aſſertions, that it was in ſome meaſure owing to the Miſconduct or Neglect of ſome Officers too great for me to name; but whether true or falſe, will, no doubt, hereafter appear.

Gallantry: but in juſtice to the Public, by undeceiving them, and in defence of injured Merit, it is indiſpenſibly neceſſary we ſhould expoſe the Calumny and Untruths of the *Narrative*, and ſet them in their true Light. For however ſeverely other Officers have deſerved to be cenſured, all Accounts agree, that the Admiral did his Duty in every reſpect, deſerving of the high Truſt and Confidence that had been repoſed in him.——The Misfortune of the Fireſhip was not all the Loſs occaſioned from theſe four Ships coming up to the Aſſiſtance of their Chief; but they ſaved him from falling into the Admiral's Hands, or being altogether deſtroyed, and alſo attack'd the *Namur* †; in which the Admiral was

† See the Account by Authority.—See even the *Narrative* Page 691. Notwithſtanding which M. *de Court* in his Letter to the Biſhop of *Rennes*, ſays, that theſe Ships never made the leaſt Effort to ſupport the *Spaniſh* Admiral; but alledged, that after M. *Navarro* had fought againſt all the Rules of War and Prudence, having thrown himſelf into Danger, by his Ships being ſeparated from him, and he had taken ſo much pains in ſpite of all that he (M. *de Court*) could do to get himſelf handſomely beat; he came to his Aſſiſtance, and gave him an opportunity of getting away, which otherwiſe he never could have had; and in return the *Spaniſh* Captains, either to hide their own Cowardice, or to cover their ill Conduct, raiſed a Clamour, not only againſt him, but againſt the whole *French* Nation, as if they were all Traitors, and had formed a Deſign, nay, executed it too, as far as was in their power,

was greatly endanger'd, having been engaged with them almoſt Yard-Arm and Yard-Arm, when Night came with the *French* Squadron to the Relief of the *Spaniards*.

THE next thing that ſtrikes us, is the Account of the *French* Squadron tacking and doubling upon Rear-Adm——l *R——wl——y*, who was neceſſarily obliged to tack alſo with his Diviſion in order to cloſe nearer with our Center, to be enabled to withſtand the Force of the Enemy. In this Deſcription the Author of the *Narrative* greatly exceeds the Truth. He takes elaborate pains to make it be believed, that the Fleet on this Motion was in the greateſt Confuſion and Diſorder; enlarging with great Art upon the precipitate Flight of the Rear-Admiral, who was in imminent Danger, juſt on the Brink of Deſtruction.—While at the ſame time he is extravagant in his Praiſes on the Conduct of the *French* Admiral, and tedious in his Relation; and giving Reaſons why that Officer declined attacking our Van, for the ſake of ſuccouring the *Spaniſh* Admiral without Loſs of Time. The firſt Fruits of this Meaſure was certainly the

O *Poder*,

of betraying and ſacrificing them to the *Engliſh*; whereas the Truth of the Matter is, if they were ſacrificed, it was only by their own Folly.

* *Poder*, the *Spaniſh* 64 Gun-Ship being retaken, with the Loſs of the *Berwick*'s Officer and Men, who on this occaſion could not be brought to leave her, tho' that Ship had no Maſts ſtanding; and conſidering the Diſpoſition of both Fleets, could only be an Incumbrance.

WE muſt obſerve, that it was not prudent to continue the Battle longer than duſkiſh, ſince the neceſſary Orders by Signals, for conducting the Fleet, could not have been diſtinguiſhed, nor indeed an Enemy known from a Friend; as in that caſe Confuſion and Diſorder muſt have enſued, and Judgment and Superiority of Strength, with all other Advantages, muſt have yielded to mere Chance; no commendable or juſtifiable Way of determining Combats, on which the Fate of Nations depends, unleſs irreſiſtible Neceſſity forces it. That ſo far from being in Danger, or under any Apprehenſion, that the *French* Squadron would renew the Engagement, and ſurround our Van, after their Admiral had juſt before ſet his Fore-ſail,

* See the Account by Authority. Alſo *Norfolk*'s Account, ſays the *Powerful* of 64 Guns, having been attacked by the *Somerſet*, *Princeſſa*, *Bedford*, *Kingſton* and *Berwick*, after a reſolute Defence, being diſmaſted, ſtruck; whereupon ſeveral Boats boarded her, but the *French* Fleet coming upon them, retook her again, with the Lieutenant of the *Berwick* and 25 Men.

Fore-ſail, and run from Mr. *Row—y*, as did alſo his two Seconds, our Van retreated, only as the neceſſary Conſequence of being left by the Enemy, whom the Diſpoſition of the Fleet, and the Order of Battle would not admit of going after any farther to Leeward. And this was done in good Order, to come nearer to the Center of our Fleet, as it was almoſt dark; and then it was full time the whole Fleet ſhould be as cloſe as poſſible together, for fear of a Separation, or an Attack in the Night. ——— 'Tis true, this Diviſion's Motion gave the *French* Admiral an Opportunity to do, what he had been before endeavouring at, (but was prevented by the foremoſt Ships in our Van) which was to tack with all the *French* Squadron. But to prove beyond diſpute, that he was more apprehenſive of Mr. *R——y*'s Attack, than Mr. *R——y* was of any from him, we ſhall make uſe of M. *de Court*'s own Words on this Occaſion; who ſays, in his Letter to the Biſhop of *Rennes*, Ambaſſador from the Crown of *France* at the Court of *Spain*, " It is viſible, in the Situation I was in, it could " not be expected that a *French* Admiral ſhould " go to the Aſſiſtance of the *Spaniards*; neither " could the Van-Guard of the Fleet do it, with- " out running the hazard of being ſurrounded by

" the Van-Guard of the *Engliſh*, which had the " Wind of them: but as ſoon as the *Engliſh* " left me, I drew together all the Ships of both " Squadrons, and ſailed immediately to the " Aſſiſtance of the *Royal Philip*; in doing which " I was expoſed to the Fire of the whole *Engliſh* " Line; but happily the *Engliſh* did not puniſh " my Raſhneſs as it did deſerve."

IN ſpite of Envy and Detraction, it cannot be contradicted that the Admiral, who had gain'd a conſiderable Advantage with ſo little Aſſiſtance, was hindered from improving it by Night coming on, little Wind, and a very high Swell; and that the * intercepting of the *Spaniſh* Squadron was practicable, from the Opening they had made in their Line of Battle. As there was no poſſibility of getting up with the *French*, to come to a general Battle; our Victory muſt have been compleat over the *Spaniards*, and ended in their entire Deſtruction, with all the Succeſs we could have

* There was an abſolute Neceſſity for the Attack, to prevent the Fleet being drawn down the *Streights*, from a Station, where the Security and further Support of the King's Allies could be provided for, in preventing an Embarkation eſcaping to *Italy*; or, even according to the *Narrative*, to hinder the Enemy from getting the Weather-Gage of us, which they muſt have done that Afternoon, if the Engagement had been deferr'd.

have wiſhed, had the Vice-Admiral and his Diviſion come up, or thoſe Ships in the Rear of the Admiral's Diviſion fought as near the Enemy, and with the ſame Ardour as the *Namur* and *Marlborough* did. After which the *French* muſt have retreated precipitately, having had nothing elſe to depend on but Running, as their Strength would have been ſo unequal, and their whole Merit in preſerving themſelves would have conſiſted in the Cleanneſs of their Ships; which would have more amply juſtified Adm——l *M*——*ws* in his frequent Sollicitations for a Supply of freſh Ships, that he might be enabled to keep the Fleet under his Command clean, and ready in every reſpect for all Services; but, as it was, the Neglect of which gave the Enemy great advantages over us.

THE Author, full of his Exaggerations, goes on, aſſerting the moſt extravagant Untruths, laying great weight on very trivial Matters, and endeavouring all he can to prove the Impatience, Raſhneſs and Miſconduct, in attacking the Enemy, without being in a perfect Order of Battle: And next Day he inveighs againſt the Admiral's Diffidence and Precaution, in going down in a Line of Battle upon the Enemy, and bringing to

ſix Miles to Windward of them, by which means they made Sail when it was dark unperceived, and ſtole away with their lame Ships.

IT appears there was very little Wind all Day, not ſo much as to bring the Fleet near enough to renew the Engagement before dark; but inſtead of bringing to, as the *Narrative* aſſerts, ſix Miles Diſtance from the Enemy, the Fleets were not above three * Miles aſunder. It would have been making a very ill uſe of the Advantage that our Fleet had gained; it would have been hazarding a Victory on a very precarious Footing, to have engaged in the Night, in which Fortune might have been deciſive for the Enemy; neither were all the Ships come up a-breaſt with the Admiral, becauſe ſome of them had been hinder'd, by being obliged to ſecure their Maſts for the preſent, that had been wounded; and as there was

* *Norfolk*'s Account ſays, the whole Fleet gave chace in a good cloſe Line; but making what Sail they could from us with the crippled Ships, and there being little Wind all Day, at duſkiſh the Fleet brought to, in expectation of renewing the Attack next Day. *Rupert*'s Account ſays, according to Signals we bore down in a good Line, and the *French* ſtood away from us, with all the Sail they could make; we had but very little Wind all Day: but by ſix we got within three Miles of them, and brought to with our Larboard Tacks, in hopes of attacking them in the Morning.

was very little Wind, the Neceſſity was the greater to lay by for them, that the whole Strength of the Fleet might be employed in effecting and compleating the Enemies Defeat. Another Reaſon equally juſt, which may be offer'd in ſupport of this Conduct, as what might make the Admiral more cautious, is, that the Enemies Force had not been reduced to that Extremity, as to ſuffer him to leave every Ship at liberty to give chace, and do her utmoſt; on the contrary, it was neceſſary to maintain the ſtricteſt Diſcipline, eſpecially after ſuch a notorious Neglect and Backwardneſs of the Officers, whoſe bad Behaviour was the ſole Cauſe, why ſo little advantage had been made the preceding Day.

WHEN the Enemy began to make ſail, and appeared to be going from us, the Admiral made the Signal to make Sail, by firing ten Guns; and as this is the proper Signal, it is ſurprizing and impertinent to call it an Alarm for the Enemy to make off; there being no other Signal for that purpoſe in the fighting or ſailing Inſtructions, which can be no juſt Reflection on Adm———l *M*———*ws*. In the Morning this partial, vindictive Author, ſays, the Fleet ſaw the Enemy, the Vice-Admiral and his Diviſion giving chace;

chace; but that the Admiral having made the Signal to give over chace, they unhappily eſcaped. Had he had the Candour and Impartiality, he would have the World believe him to have, he would have given the true Reaſons why this Signal was made, and ſhewed the Neceſſity of doing it; but he remains ſilent on the Subject, intending as it were to point out a Supineneſs in the Admiral, in ſuffering the Enemy to eſcape; and to irritate and inflame, rather than to ſatisfy the Public by an impartial Relation. Tho' the Fleet gave chace by Two o'Clock in the Morning with all the Sail they could croud, yet at Day-light the Enemy could be but juſt ſeen from the Maſt-Head; the Wind ſhifted and increaſed with a great Sea, ſo that our Van could only lay up with their ſternmoſt Ship. However, tho' it blowed extremely hard, tripled-reef'd Top-ſails were carried ſo long, as to endanger the carrying away the Maſts, and thereby diſabling the Fleet; notwithſtanding which, we could not perceive that we got any thing of the Enemy, but rather dropt a-ſtern, ſo great was their Advantage in *clean Ships. And as the *Namur*, *Barfleur*, *Princeſs*

* *Norfolk*'s Account. At Day-Break ſaw the Enemy bearing about N. N. W. of us, juſt able to ſtand with them. The Admiral made the Signal for the Vice-Admiral and his Diviſion

Princeſs Caroline, *Norfolk*, *Boyne*, and many other Ships were much wounded in their Maſts; and the Weather was ſo extreamly bad, that if we could have come up with the Enemy, there was no poſſibility of engaging them. This Conſideration, it is to be ſuppoſed, prevailed on the Admiral to make the Signal, ſince he muſt have carried away all thoſe Ships Maſts, and perhaps many

Diviſion to give chace; and the Fleet followed with all their Sail abroad that they could carry: But the Enemy's Ships being all clean, they went from us, the Wind increaſing to put us by our Top-ſails, many of our Ships being wounded in their Maſts, and the Wind alſo favouring them, and ſhifting to the N. W. the Admiral made the Signal to leave off chace, and for the Weathermoſt Ships to bear down into his Wake. The Wind continued to blow very hard all Night, and the Fleet lay by under a main Sail.

Rupert's Account. At Day-Light we ſaw them bearing about Weſt of us 7 or 8 Leagues, and the Wind flying about to the N. N. W. We could but juſt lay up with them. The Signal was then made for the Vice-Admiral to ſend Ships to chace, and we purſued with the whole Fleet after them with all the Sail we could croud: But they being all clean, we could not perceive that we came up with them. And at Nine, the Wind coming to the Eaſtward, and blowing very hard, and ſeveral of our Ships having their Maſts much wounded: the Admiral made the Signal to leave off chacing, and for the Weathermoſt Ships to bear down to him. It blew ſo hard, that it put us by the Top-ſails; and at Noon we lay to under a Mizen, and at Night under a Main Sail, the Wind ſtill Eaſterly.

Namur's Letter. We ſaw the Enemy next Morning at a great diſtance; they run away as faſt as they could, and being all clean Ships, had the heels of us much.

many more in a vain Purſuit, as it was evident we did not come up with them, and they were already out of our reach. The Loſs of which Maſts could not have been repaired by the Store at *Mahon*, then the Enemy might have got the ſuperiour Strength to have executed all their Deſigns, while perhaps we were obliged to lie by *Mahon* Walls for want of Maſts, Rigging, and all manner of Stores.

WHEREAS, by acting in the manner the Admiral did, he obviated all Difficulties and Dangers, the Fleet was not diſabled in endeavouring after an Impoſſibility; and the Time was ſpent in laying by, repairing the Damage, and making the neceſſary Diſpoſitions for a ſecond Engagement. And as the Admiral next day could neither get Sight of the Enemy, nor gain any Intelligence of them; the only wiſe Uſe of this Victory he could make, (and really for that purpoſe the Attack of the Enemy was deſigned) was to return to his old Station off *Toulon* in *Hieres* Bay, to be ready to defeat the Enemies Embarkations, and ſupport the King's Allies agreeable to his Inſtructions, and the State of Affairs in *Italy*; for which indeed our Fleet had been

been kept ſo long abroad in the *Mediterranean*. But admitting there had been Information of the Enemy being gone down the *Streights*, where our Fleet could have attack'd and deſtroyed them, would it have been adviſeable in the Admiral to have exceeded (perhaps) his Orders, and to have followed that Courſe poſſibly too, on a wrong Scent? And in the mean while the Enemy had gained a Paſſage for their Troops by Sea, and landed them ſafe in *Italy*; we ſhould have had no reaſon to have boaſted much of a Victory that had contributed to the Execution of our Enemies Meaſures, in ſettling Don *Philip* at the Expence of the Houſe of *Auſtria*; alſo the King of *Sardinia*, in danger of loſing his Dominions: And this Sacrifice to be made or hazarded for the trifling Advantages of a few Ships ſunk, burnt, and deſtroyed; an inconſiderable Price, well worth the while of the Enemy to give, to come at ſo fine a Purchaſe. But to prevent theſe Evils, theſe irrecoverable Miſchiefs to our good Allies, the Admiral did all that was poſſible for Man to do, in endeavouring to get back to his important Station; but Winds and Seas, and conſtant Storms, on which there can be no dependance, render'd all his Labours abortive; and the Fleet being greatly diſabled and diſtreſſed, he could

take no other courſe than bearing away to *Mahon* to refit, and put himſelf in a condition of returning on the Coaſt of *Provence* again. Which he did with ſuch extraordinary Expedition, that notwithſtanding the many Accidents, and Diſappointments he met with, he appeared on the Enemies Coaſt Time enough to defeat all their Embarkations and Attempts by Sea. After this Zeal and Diſpatch, can it be ſaid with the leaſt Juſtice and Impartiality, that this accompliſh'd Admiral has not employed the Fleet under his Command to the beſt purpoſe, and its proper Uſe; or that any Officer could have been more active, or more vigorous than he has been, in the Service of his Country?

THE Author of the *Narrative*, that no Fault or bad Judgement, which he apprehended to be ſo, might eſcape him, mentions three ſmall Veſſels that were taken into the Service, which he would have the Public believe were of no uſe: on the contrary, a Diſgrace to the Royal Navy, in which the Reputation and Honour of the Nation were greatly endangered. —— It is well known, that almoſt as ſoon as the Admiral arrived on his Command, finding the want of ſmall Ships and Sloops to intercept the Enemy's Xebecks,

becks, Barcalongo's and Feluccas, going close along Shore, writ for a Supply of them. But such Vessels being wanted equally as much at home, to curb the Insolence of the small Privateers and Row-Boats of the Enemy, which at that time infested all Parts of our Channel, the Admiral was answered, That when Mr. *H——k* commanded in the *Mediterranean*, he procured and fitted out some Vessels, called Xebecks, which were of great use to him in those Parts: And if he was to hire or purchase such kind of Vessels, or employ in his Majesty's Service such of them as may be taken from the Enemy, they would answer the purpose better, than the Sloops mentioned in his Letter, which draw more Water than is convenient for the use; and accordingly was directed to procure a sufficient Number of Xebecks, or small Vessels, if they could be had. However, in return to this, we find he not only repeated his Application to be properly supported, and supplied with more small Vessels, without which he could not possibly do his Duty in the manner his Ambition dictated to him, by preventing the Escape of Small Craft, and performing other contingent Services; but almost in every Letter, he shews how absolutely necessary they are to enable him to continue

acting

acting in purſuance of his Inſtructions: Declaring that thoſe kind of Veſſels, mentioned for him to purchaſe abroad, are of no kind of uſe, but in fair Weather; being always obliged, on every Gale of Wind, to put afore it, and are by no means to be depended on. Having then one of them commanded by a very good Officer, yet he had been obliged to ſend her to cruize off *Minorca* and *Majorca*, for protecting the Trade againſt the Small Craft, which frequently comes over from *Majorca* to *Minorca*; for ſhe could never keep the Sea off *Toulon* two Days together. Nevertheleſs, no ſuch Veſſels having been ſent to the Admiral, as they could not be ſpared conſiſtently with other neceſſary Services; in this Neceſſity, the only Remedy the Admiral had, tho' but an indifferent one, yet better than none, was according to his Inſtructions from home to purchaſe the beſt Veſſels that could be had for this purpoſe: and theſe are them, which the *Narrative* ridicules and exclaims againſt, altho' they did ſervice, eſpecially in the Summer. The Row-Boat gain'd her Paſſage in Calms, light Breezes, or contrary Winds, to and fro between *Hieres* and *Villa Franca*, when none of His Majeſty's Ships or Veſſels could; and conſidering the Importance of the Diſpatches ſhe carried, the

Admiral's

Admiral's Character as Plenipotentiary to the ſeveral Princes and States in *Italy*, and alſo the Diſpoſition of the Enemy in the King of *Sardinia*'s Dominions; this was a Service of no ſmall conſequence, beſides that of cruizing or going after the Enemy along Shore.

THE Xebeck was not employed in vain on the Coaſt of *Catalonia*; afterwards ſhe was ſtationed at *Villa-Franca*, and off *Antibes*. Having never been laid up, but kept continually cruizing cloſe in Shore, when it did not blow a Storm of Wind, or the Enemy could poſſibly venture going to Sea with any Embarkation. The Barcalongo was likewiſe employed with ſome Succeſs on this Service, and could keep the Sea all Weathers; and if ſhe did not ſail ſo well as could have been wiſhed, ſhe was the only Veſſel of the kind that could be purchaſed. In ſhort, as there was no Choice, the Neceſſity of His Majeſty's Service, and Orders from home, bad as they were, are not only a Juſtification, but a Proof of the Admiral's good Management, by endeavouring to ſupply the Deficiencies he laboured under, which he had ſo often and ſo ſtrenuouſly repreſented.

THE

THE Liſt of Captains and Lieutenants made in the *Mediteranean*, ſeems to be added to the *Narrative*; not ſo much as Part of the Hiſtory of the Proceedings of the Fleet, but as an Addition to the reſt of his Imputations on the Conduct of the Admiral. Tho' none of theſe Vacancies were occaſioned by any Act of his, nor did the Gentlemen that were promoted, want Capacity or Underſtanding; yet to extenuate their Merit, their Time of Service is mark'd out in as glaring a Manner as poſſible, by way of Proof of their Inexperience and Want of Knowledge, at the ſame time that the Author has not done them ſtrict Juſtice, in calculating the exact Time of their Service. Nothing can exceed this Ill-nature and Injuſtice; and yet he profeſſes great Impartiality and Candour in his Relation.

UPON the whole, loſing the Opportunity we had of entirely deſtroying the *Spaniſh* Squadron, the Conſequence of which muſt have defeated all the Meaſures of our Enemies, prevented a ruinous War, made a good and honourable Peace, and brought the Pride and Ambition of *France* to lie at our Mercy; the greateſt Malice cannot impute it to the Miſconduct of our

Admiral, who has given ſo many ſignal Proofs of his Patience, Dexterity and Courage; either in overcoming the many Difficulties, where the Service had been cramped beyond Belief itſelf, or in attacking the Enemy, while others are ſaid to have been tame Spectators, and ſuffered the Enemy to eſcape them, and paſs unheeded by. But what may have further contributed to ſo great a Misfortune, an exact and faithful Examination will ſet in a true Light, remove all Scandal, ſuppreſs Malice and Falſhood, and give Teſtimony of the great Abilities of an Admiral, who, in all his Services, has had only the Glory of his Maſter, and the Good of his Country at heart.

The Author of the *Narrative* is exceedingly compaſſionate to People in Diſgrace; M. *de Court*'s Conduct on every Occaſion is praiſed moſt extravagantly, tho' we find the *French* Court thought proper to remove him from his Command; and, for the ſake of his former Services, only puniſhed his Miſconduct by laying him aſide.

THOUGH our Admiral's Inſtructions have been very extenſive, and it appears from the Equity of his Complaints, that he had not Force ſufficient to accompliſh every Part of them; yet we find he has endeavoured to overcome that

Defect by his extraordinary Zeal and good Management; and as there have been no juſt Complaints againſt him, ſo far as we know, he has hitherto with great Succeſs executed the neceſſary Services required of him. How long it may be poſſible for him to ſtruggle and do ſo, is impoſſible to ſay; as that entirely depends on the Deſigns of the Enemy, and the Reinforcements and Supplies we ſend out, to keep him in a Condition of acting againſt the common Enemy, in defence of the common Cauſe. At preſent, our Fleet in that Quarter ſeems to be in a very bad deſperate way; the Ships being foul, worn out, badly mann'd, ſtarving for Proviſions, and in want of all manner of Stores. However, it is certain, a large Supply was ſent to *Liſbon*, and eſcorted there by Sir *Ch———s H—rd—y*, ſo long ago as *April*, for the Uſe of the Fleet in the *Mediterranean*. But it ſeems, Ad———l *M———ws* having been directed to ſend a ſufficient Number of Ships down there to convoy this Supply up to him, all this time has been loſt; and juſt when theſe Ships (*viz.* Four Ships of the Line of Battle) were upon Sailing with the Victuallers and Storeſhips, the *Breſt* Squadron appeared off that Port, and ſtopt their Progreſs. Lucky it was, that they did not ſail and fall into their Hands, which would have been a dreadful

Stroke

Stroke indeed! Hence, this Service being required of the Admiral, has not only weakned him four Ships of the Line, and the time thereby has been greatly protracted, while he yet continues to ſtarve for want of the Proviſions, and in the greateſt Neceſſity for want of the Stores; but the *Breſt* Squadron has been tempted to bite at ſo conſiderable a Bait. What then can be expected of our Fleet, thus weakned and reduced, in want of every thing? The great Ships worn out with hard Service, having been kept above three Years without being repaired and cleaned; hardly able to ſwim, incapable of purſuing an Enemy, or indeed of flying from one. All the other Ships foul, and likely to continue ſo; as the conſtant Service, and the Neceſſity of being as near together as poſſible, to guard againſt the Force and Deſigns of the Enemy, will not admit of their being ſent to *Mahon* to be careened and fitted, according to the uſual Diſpatch made there. Theſe are not the only Diſadvantages which our Fleet labours under: It is divided on ſeveral diſtant Stations, where the Service requires them, *viz. Naples*, *Adriatick*, *Leghorn*, *Genoa*, perhaps not within a Month's Call of one another, and when all together, not more than a Match for the Enemy; who never put to Sea, but when they are clean and in great Order.

WHILE our Fleet is contending with Winds and Waves, with the Variety of Accidents that happen at Sea; daily ſuffering and loſing Maſts by being obliged to keep the Sea perpetually, without any thing in Store to make good or repair the Loſſes they ſuſtain. The Enemies Fleet is kept ready fitted; they enjoy the Benefit of a Port on the Spot of Action, in conſtant Readineſs to take the opportunity of the firſt Advantage: They want neither proper Conveniences, Stores, nor Aſſiſtance for Expedition to keep them on the Wing: The *Spaniſh* Squadron have had Maſts from *Cadiz*, with the additional Strength of a Seventy Gun Ship: And the *French* likewiſe has had the Increaſe of Two Ships of the Line of Battle, newly launched; one of which is a Ship of Eighty Guns. Theſe, beſides the Four *Spaniſh* Ships of War of the Line, and one *French* Sixty Gun Ship, that were left in *Toulon* Harbour before the late Engagement, make an Increaſe of Seven Ships to the combined Fleets, which we defeated; allowing for the Loſs of the *Poder*, that was burnt in the Battle: whereas our Strength for the preſent is diminiſhed Four Ships; the Difference Eleven Ships.—A melancholy Proſpect, a ſad Situation! Can one entertain the Thoughts of it, without Terror?

Terror? God forbid, it ſhould prove the Deſtruction of our Fleet!

WHAT have we not to apprehend from an Enemy, who are making their utmoſt Effort to recover the Power and Dominion of the Sea? Delays are dangerous, certain Ruin; their Subtilty to let ſlip no Opportunity, with the preſent Advantages they enjoy over us in the *Mediterranean*, and the Riſk we daily run, will greatly help, if not give them the Superiority. Time, however, muſt give it them, if our Fleet continues much longer thus unprovided and diſtreſſed: A Fleet lying in Port with all the Advantages of Stores and Recruits, always preparing, or keeping ready for Action, muſt at laſt get the better (even) of a ſuperiour Fleet, that is haraſs'd, divided, and on conſtant Service; the Strength of one continues to be the ſame, nay perhaps improved, while the other every Day diminiſhes, and becomes languid.——What have we not to fear then, from a formidable Enemy, politic, and enterprizing, who no doubt ground their Hopes chiefly on our Fleet's being divided, and the Probability of attacking unawares, before our Ships can be gathered together, or any Reinforcement reach them? A little time will be ſufficient to execute the Miſchief, that would be the Work of Years to recover. —— But what

leſſens

leſſens the Pain of theſe Fears and Apprehenſions, is the Hopes that Sir *J—n B—lch—n* with our Home-Fleet, is gone off *Lisbon* in queſt of the *Breſt* Squadron; which if he is not ſo fortunate to come up with to deſtroy, it is to be ſuppoſed he will at leaſt be able to ſee our Men of War there, with their Convoy of Victuallers and Store-ſhips ſafe into the *Mediterrnean*, clear of all Danger, or further Hindrance to oppoſe their joining Admiral *M——s*. But ſhould the *French* retreat to *Cadiz*, where they can be water'd, victualled, and refitted, then our Anxiety and Concern will juſtly return again; becauſe our Home-Fleet cannot watch their Motions any long time off that Port. As there is neither Proviſions nor Stores at *Gibraltar*, tho' maintained at a prodigious Expence, and in ſome meaſure for ſo beneficial a Purpoſe; yet it ſeems, at this Juncture, we have not been wiſe enough to lodge proper Magazines of Stores and Proviſions, that we might reap from the Poſſeſſion of this Key to the *Mediterranean*, Advantages of the laſt Conſequence (equal to the immenſe Purchaſe) to this Nation, in carrying on the War againſt the two Crowns, that maintained the laſt general War, againſt all *Europe*.

AS Neceſſity will ſoon drive Sir *J—n B—lch—n* with his Fleet home, the *Breſt* Squadron muſt

muſt neceſſarily be left in the quiet Poſſeſſion of the moſt advantageous Situation in the World, command the *Straits* Mouth, intercept what little Trade we have left, cut off all manner of Communication by Sea between us and our *Mediterranean* Fleet, garriſon the Sea between Cape *St. Vincent* and the *Weſtern-Iſlands:* What is it they will not be in the fair way of doing in ſupport of themſelves, the Proſecution of the War, and the diſtreſſing of us? On that Station, they will be in the direct Road to meet *le Torres* the *Spaniſh* Admiral, with the Treaſure of *Spain*; or, as things fall out, and the Proſpect is ſo fair to them, why not run into the *Mediterranean* to join the Combined Fleets? Which, if ever it comes to paſs, muſt inevitably end in the Deſtruction of our Fleet, the Reduction of *Tuſcany*, *Piedmont*, all *Italy*, and the utter Diſtreſs of our faithful Allies. In ſuch a caſe, ſhould the *French* continue at *Cadiz*, this Cataſtrophe can be no otherwiſe avoided, than by ſending forthwith Proviſions and Stores to *Gibraltar*, that our Fleet may be enabled to continue abroad to defeat their Views and Deſigns. The Superiority of Strength there, is of the laſt Conſequence, the deciſive Power in the preſent Criſis of Affairs; upon this the whole turns. Can then our Circumſpection and Concern be too great, as our All is here at ſtake, the Pre-

ſervation of our *Mediterranean* Fleet, the Intereſt of our Allies, and the Well-being of the Nation? For what will it avail, a potent Fleet refitting at *Spithead*, and taking in Water and Proviſions, ſo great a diſtance from the Enemy? What can be the Uſe of ſuch a Fleet, as there is no Enemy near to infeſt our Channel, or make the leaſt Impreſſion on our Coaſt? It is to no purpoſe to ſay, even if we could promiſe ourſelves for the Fairneſs of the Wind and Weather, that our Fleet ſhall make unuſual Diſpatch to return back to watch the Motions of the Enemy. Had we Wings in ſuch a Situation, all muſt be irrecoverably gone and loſt, before our Fleet could overtake the Enemy, or join Admiral *M——s* in the *Mediterranean*.

HENCE our Succeſs in this War depends on the proper ſtationing our Squadrons; without which our Superiority in Ships is altogether inſignificant, and can anſwer no other Purpoſe than a uſeleſs immenſe Expence, to add to the Ruin of an Impoveriſh'd Nation.

WE hope it will be thought, we have endeavoured our utmoſt to make theſe Remarks with the greateſt Impartiality, without Favour or Prejudice, and free from Ill-manners.

F I N I S.

Vice-Adm--l *L-ſt-k's*

ACCOUNT

OF THE

Late ENGAGEMENT

NEAR *TOULON*,

Between His Majeſty's FLEET,

AND THE

FLEETS of *France* and *Spain*;

As preſented by HIM the 12th of *March* 1744-5.

ALSO,

LETTERS TO and FROM

Adm---l *L-ſt--k*,

Relating thereto ſince his Arrival in *England*.

With NOTES.

LONDON:

Printed for *M. Cooper* at the *Globe* in *Pater-noſter-Row*. 1745. Price 1s.

March 20, 1744-5.

In a few Days will be Publiſh'd,

From the Originals preſented by Adm--r-l *L-ſt--k*, to the Hon. Houſe of Commons: All the material Situations, Views and Poſitions, in the late Engagement near *Toulon*, of His Majeſty's Fleet, and thoſe of *France* and *Spain:* Curiouſly engrav'd on Seven Sheets of fine Imperial Paper.

Vice-Adm----l *L-ſt--k*'s

ACCOUNT.

THURSDAY, Feb. *the* 9*th* 1743-4.

AT Three o'Clock in the Afternoon, the *Winchelſea* came in ſight, in the Weſtern Paſſage of the Bay, and made the Signal that the Combin'd Fleets were coming out to Sea; upon which the *Eſſex*, at an Anchor under the Iſland of *Porquerole*, repeated the Signal: And after the Admiral had anſwered them, he immediately made the publick and private Signals to unmoor, which were repeated by me and the Rear-Admiral. I then immediately waited on Mr. *Mathews*, and deſired to know (as I had the Honour to command next to him, and the Enemy in ſight) if he had any particular Commands or Inſtructions for me: He anſwered me, No, ſaying, It was very cold, and bid me go on Board——

THE Fleet unmoor'd, hove ſhort, and lay ſo all Night. The Enemies Ships that came out, anchor'd under the Land near *Toulon* Harbour; being little or no Wind moſt part of the Night. At Day-break ſaw the Enemy over the Low-land under Sail, and the reſt of their Fleet coming out.

AT Ten o'Clock our Fleet weigh'd by Signal, with the Wind weſterly; and half an Hour after, the Admiral made the Signal for the Fleet to draw into a Line of Battle, one Ship a-head of another; which Signal I repeated, and made Sail a-head with my Diviſion. At half an Hour paſt Eleven o'Clock the Admiral having made the Signal for the Van of the Fleet to tack, I repeated the Signal and tack't; the Fleet having not form'd into a Line of Battle.

FRIDAY *the* 10*th*.

THE Fleet continued all the Afternoon plying to Windward between the Iſlands and the main Land in the Bay of *Hieres*, the Wind blowing freſh weſterly; while the Enemy were employ'd in forming a Line of Battle. At Night our Fleet anchored in the Bay. At Day-break weigh'd with the Land Breeze; and at Seven o'Clock the Admiral having made the Signal for the Fleet to draw into a Line of Battle one a-ſtern of the other with a large Wind, and for thoſe to lead, who were to lead with their Starboard Tacks aboard by a Wind; I repeated the Signal, and anſwer'd it by making Sail a-head with my Diviſion: But the little Wind, with an high weſtern Swell, and the Ships crowding and preſſing upon one another, hindered the Fleet from getting out of the Bay in the Diſpoſition of Battle, according to the Signal abroad: The Admiral's Diviſion and mine, having got into the Southern Paſſage of the Bay, where there is no anchoring, mixed together Heads and Sterns athwart, juſt upon being on Board of one another, entirely govern'd and conducted by the Swell, with all our Boats a-head, endeavouring to tow

tow the Ships clear of one another; and it was with great Difficulty, and beyond Expectation, we eſcap'd this imminent Danger. We diſcover'd the Enemy, the Body of their Fleet bearing about S.W. ſeeming to ſtand towards us with the Wind weſterly, while what little Wind we had was eaſterly.

SATURDAY *Feb.* 11*th.*

ABOUT Noon the *Boyne* and *Chicheſter* joined us from *England*; at half an Hour after the Admiral made the Signal for the Fleet to draw into a Line of Battle, one Ship a-head of another; which I repeated. At Two o'Clock being almoſt calm, he hoiſted a blue Flag at the Flag Staff on the Mizen Top-maſt-head, and fired a Gun, which Signal, by the 8th Article of the Fighting Inſtructions, is for him that commands in the 3d Poſt, and the Ships of the Larboard Quarter to clap by the Wind, and to come to their Larboard Tack: But by the Ninth Article of the Sailing Inſtructions, it is for all the Ships of the Fleet to bring to with their Larboard Tack, the Admiral having brought to, I repeated the Signal, and brought to with the Larboard Tack, being very little Wind, and the Swell driving us nearer and nearer the Iſland of *Porquerole*. At three o'Clock the eaſterly Wind having prevailed, luckily for us, the Admiral made the Signal for the Fleet to draw into a Line of Battle, one Ship abreaſt of another: I repeated the Signal, and the Fleet made Sail: The Enemy brought to in a Line of Battle, being twenty-eight Ships in their Line, ſixteen *French*, and twelve *Spaniſh*; a *French* Rear Admiral in their Center, a Commodore in their Van, and a *Spaniſh* Rear Admiral in their Rear. In the Evening, about half an Hour after it

was

was dark, the Admiral put abroad four Lights in his Fore Shrouds, and fired eight Guns, which is the Night Signal for the Fleet to bring to, and the windward-moſt Ships to do it firſt: Accordingly, I repeated this Signal, and brought to, being in a Line a-breaſt with Admiral *Mathews*, within three Miles of the Enemy; two of whoſe Ships bore away from me, Wind variable in the eaſtern Quarter all Night. At Day break, finding myſelf at a greater Diſtance from the Admiral than at Night when I brought to, occaſioned by a Shift of Wind, Eddy or Indraught of the Iſlands, while he was in the Offing, in the Power of the Current, I made Sail, and, by that Time the Admiral made the Signal for the Fleet to make Sail, which I repeated at half paſt ſix o'Clock in the Morning, I was near being a-breaſt of him, though our Diviſions were far from being cloſed together; and the Rear Admiral's a great Way to windward of the Line of Battle.

THE combined Fleets made ſail, and ſtretch'd in good Order of Battle to the Southward. At half an Hour paſt Seven o'Clock the Admiral made the Signal for the Rear Admiral and his Diviſion to make more Sail, which I repeated; and ſoon after he made my Signal to do the ſame, having at that Time all my Sail abroad. Before eight o'Clock, Lieutenant *Jaſper*, the Admiral's Lieutenant, came on board with the Admiral's Directions to me, that he would lay bye until I cou'd get up with my Diviſion to cloſe the Line of Battle with him: But, inſtead thereof, I having obſerved to Mr. *Jaſper*, that the Admiral had rather made more Sail, and went faſter from me, he reply'd, that ſoon after he put off from his Ship, the *Namure*, ſhe had made more Sail, nevertheleſs,

leſs, he thought it his Duty not to return before he had delivered to me the Admiral's Meſſage ; ſoon after, Lieutenant *Knowler*, of the *Namure*, came on Board of me from the Admiral, with Orders for me to make more Sail ; upon which I bid him look aloft, and ſee whether I could make any more Sail. Every Sail which cou'd draw being then ſet. Lieutenant *Knowler* acknowledged the Truth of what I ſaid, and added, that the Admiral was very uneaſy that the Rear Admiral and his Diviſion did not make more Sail to get into the Line of Battle. And upon my ſaying to him, that, according to the Line, the *Real*, the *Spaniſh* Admiral, muſt be my Adverſary ; he reply'd, that Admiral *Mathews* had told him ſo : And after giving my Compliments to the Admiral with Aſſurances, that nothing ſhou'd be left undone that I had Power to do, to get along Side of the *Real* with all poſſible Expedition, Lieutenant *Knowler* returned to the Admiral. At this Time I had ordered the Captain of the *Mercury* Fireſhip to prime, and to ſend his People above what were neceſſary for burning his Ship on board of me, which was accordingly done ; likewiſe directed him to keep an Eye upon me ; and when I thought it neceſſary for him to burn his Ship, he might depend upon proper Aſſiſtance, with an Officer and Boats from me to attend him. And I having obſerved that there were ſix Ships a-ſtern of the *Spaniſh* Admiral in the Enemies Line ; and that the ſternmoſt Ship, the largeſt, except the *Real*, as I had only four Ships a-ſtern of me, according to Mr. *Mathews*'s Order of Battle, I made the Signal for the Lieutenants of the *Oxford*, *Nonſuch* and *Romney*, and directed them to tell their Captains to fall a-ſtern to aſſiſt and ſupport the ſternmoſt Ships of my Diviſion. At

At Eight o'Clock.

THE Admiral made the Signal for the Fleet to draw into a Line of Battle one Ship a-breaſt of another, which I repeated. At nine he made the Signal for the Fleet to draw into a Line of Battle, one a-ſtern of another, with a large Wind; and the Rear Admiral to lead, which I repeated. And half an Hour after, he made the Signal for the Fleet to draw into a Line of Battle, one Ship a-head of another, which I repeated. At this Time the *Royal Oak* joined us.

At Half paſt Ten o'Clock.

THE Admiral made the Signal to engage the Enemy, which the Rear Admiral repeated, but I did not. Our Fleet kept bearing down upon the Enemy, not at all formed in the Order of Battle, the Van, the Rear-Admiral's Diviſion being to wind-ward four or five Miles of the Line of Battle; and my Diviſion, the Rear, a great Diſtance from the Center; the Admiral's Diviſion, occaſioned by the Admiral's not laying by for me, according to the Meſſage ſent to me by Lieutetenant *Jaſper*; whereby it ſoon became impracticable for our Fleet to keep the Advantage of the Wind, conſidering the Foulneſs of our Ships, and have Room to form in a proper Diſpoſition of Battle, before Action, unleſs we had immediately haled our Wind to gain Time for that Purpoſe, which would have brought the Enemy more a-ſtern of our Fleet. The *French* Admiral no ſooner obſerved us make this Signal than he hoiſted his Colours, as did alſo every Ship of the confederate Fleet, and made more Sail, continuing their Courſe to the Southward with an Intention of gaining the Wind, or to draw us on to fight at a Diſadvantage upon ſuch unequal Terms.

SUNDAY, *Feb.* 12.

ABOUT half an Hour paſt one o'Clock, the Center of our Fleet being a-breaſt of the Enemies Rear, the *Spaniſh* Squadron, our Van near a-breaſt with their Center, while I and my Diviſion were left a great Way a-ſtern with little Wind, a great Swell, and all the Probability of a Calm, the Rear Admiral, inſtead of being far enough a-head to attack the Enemies Van, was where the Admiral ſhould have been: The Admiral, inſtead of being far enough a-head to attack the Enemies Center, was where I ſhould have been: And I, inſtead of being far enough a-head to attack the Enemy's Rear, was left a great Diſtance a-ſtern. In this Diſpoſition, contrary to the Signal for the Line of Battle then abroad, Admiral *Mathews*, without hinting to me the leaſt Information of his Deſign, bore down with the *Marlborough* upon the *Spaniſh* Admiral, and began the Engagement: The Admiral was not long engaged before he left the *Marlborough*, in the Heat of Action, againſt the *Real*, and her Second a-ſtern that lay upon her Quarter. The *Norfolk* engaged the *Real*'s Second a-head of her, which Ship ſoon bore away out of their Line. The three headmoſt Ships of the *Spaniſh* Squadron exchanged a Broad-ſide in paſſing at the headmoſt Ships of the Admiral's Diviſion, but continued their Courſe to the Southward with the *French* Squadron, making in all nineteen Ships.

THE *Somerſet*, *Princeſſa*, *Dragon*, *Bedford*, *Kingston*, *Guernſey* and *Salisbury* engaged at too great a Diſtance the *Poder*, a *Spaniſh* Ship, next to the *Spaniſh* Admiral's Second a-head, un-

til the *Berwick* bore down and gave her Battle; to which Ship ſhe afterwards ſtruck, being diſmaſted. About two o'Clock, Rear Admiral *Rowley* and the *Princeſs Caroline* got a-long Side of M. *de Court*, the *French* Admiral, and his Second, and engaged them for ſome Time. The *Boyne* and *Chicheſter* alſo fired at the *French*, but at too great a Diſtance. The three other foremoſt Ships, the *Naſſau*, *Warwick* and *Sterling Caſtle*, though there was no Signal of Direction to the contrary, did not engage according to the Signal abroad, but kept their Wind, endeavouring to prevent the *French* (who had ſo great a Superiority as nineteen againſt ſeven) from tacking and doubling upon them.

BETWEEN two and three o'Clock the *Marlborough*'s main and mizen Maſts were ſhot by the Board, nevertheleſs ſhe continued to make good Fires upon the Enemy, although ſhe had no Aſſiſtance from her Neighbours in the Line, that continued laying to wind-ward, and firing at the Ships in the Enemies Rear, not within Gun-ſhot.

A T four o'Clock the *Dunkirk* and *Cambridge* being to wind-ward of me, I fired a Shot to wind-ward of them, and made the *Dunkirk*'s Signal.

A T half paſt four o'Clock I try'd to reach the ſternmoſt Ship of the Enemy, and fired a Braodſide at her, but cou'd not ſtop her from going a-head; ſhe was before my Beam, Top-gallant Sails lower'd, only under her main and foretop Sails, with her mizen Topſail a-back; notwithſtanding which ſhe drew a-head of me, tho' there was very little Wind, with ſo high a ſouthern Swell, that it was all that I cou'd do to keep the Ports open to fire the lower Tier of Guns. As ſoon as I fired, ſhe returned it, then hoiſted her

her top-gallant Sails, filled her mizen Top-ſail, and let fall her Fore-ſail, and bore away from me: I kept going down after her, until I found I ſhou'd only be able to fetch into her Wake. At this very Time I obſerv'd the *Ann Galley* Fireſhip with all her Sail abroad, going down upon the *Spaniſh* Admiral, who lay diſabled with his Stern to the *Marlborough*. The Enemy, in the Rear of the *Spaniſh* Admiral, fired at the Fireſhip, excepting the two ſternmoſt Ships, but their Shot ſeemed to fall ſhort of her.

ABOUT five o'Clock the *Ann Galley* Fireſhip, without being properly aſſiſted, appearing to be very near the *Real*; which Ship had fired ſeven or eight Guns at her, was preſently ſet on Fire and blew up without doing Execution. A great Launch full of Men was ſent from the *Real* to take her; but ſhe blew up before the Launch boarded her.

AT the ſame Time ſaw Rear Admiral *Rowley* and his Diviſion ſtanding to the Northward towards us, with the Signal out for the Ships of his Diviſion to bear down into his Wake; and the *French* Squadron on the other Tack ſo cloſe after them, that their Heads being towards us, we cou'd hardly diſtinguiſh them from one another.

IN this Diſpoſition, when the Fireſhip had miſcarried, and our Van were making what Haſte they cou'd to join our Center, with the *French* cloſe after them in good Order of Battle, Admiral *Mathews* haled down the Signal to engage the Enemy, and the Signal for the Line of Battle, and hoiſted the white Flag at the Flagſtaff on the Fore-top-maſt Head, the Signal to give over Chace; upon which I haled down the Signal for the Line of Battle, repeated the Signal to give over Chace, and ſhortened Sail.

WHEN the *French* tack'd upon our Van, they had it in their Power, by their great Superiority, to deſtroy it; but tho' they ranged within Piſtol-ſhot of four or five of our Ships, where they could have raked them fore and aft, they did not fire one Shot, but bore away to the Aſſiſtance of the *Spaniſh* Squadron.

At half paſt Five o'Clock.

THE Admiral made the Signal for the Fleet to draw into a Line of Battle a-head, which Signal I repeated. There was at this Time very little Wind, and ſo great a Swell, that, with the Loſs of a good deal of Room, it was all that the Ships wou'd wear: The Admiral wore and form'd the Line of Battle on the other Tack (the Starboard, the ſame the Rear Admiral was upon) leaving the *Poder*, the Ship that ſtruck, to be retook by the *French* Squadron, with the *Berwick*'s Lieutenant, and twenty-three of her Men: So precipitate was our Flight from the *French*, that there was not Time to ſave their People.

THE *Dorſetſhire*, *Eſſex*, *Rupert* and *Royal Oak* wore when the Admiral did, which conſequently brought them nearer to the ſternmoſt Ships of the *Spaniſh* Squadron, that, by this Time, had got up in a cloſe Line with their Admiral: And in paſſing by, being on the contrary Tack, they fired, as did Admiral *Mathews*, the *Dorſetſhire*, *Eſſex*, *Rupert*, *Royal Oak*, *Dunkirk* and *Cambridge*, upon this Occaſion; which Firing was the laſt of the Action, and ſoon ceaſed: Our Fleet paſſed on, leaving the confederate Fleet.

At

At Eight o'Clock at Night.

THE Lieutenant of the *Ruſſel* came on board of me from the Admiral, to acquaint me, that he had ſhifted his Flag on board of that Ship; and that it was his Directions for me to keep near to him all Night.

LITTLE Wind all Night, variable, and ſometimes Calm.

AT Day-break ſaw the Enemy in the S. W Quarter, little Wind about N. E. and one of our Ships (which proved to be the *Somerſet*) diſtant three or four Miles, exchanging ſome Shot with one of the Enemies Ships that was ſeparated from their Fleet.

I received a Letter from Admiral *Mathews*, directing me, when he made the Signal for the Line of Battle a-head of each other, to lead with my Diviſion, let it be with the Starboard or Larboard Tacks on Board——

AT the ſame time ſent my Compliments to the Admiral by Capt. *Long*, with my Opinion that we ſhould do nothing, unleſs we engag'd the Enemy in a proper Diſpoſition of Battle.

At Nine o'Clock.

I made the Signal for my Diviſion to give chace to the S. W. and crouded ſail a-head.

At Eleven o'Clock,

THE Admiral made the Signal for the Fleet to draw into a Line of Battle one Ship a-breaſt of another, which I repeated.

MONDAY, Feb. 13.

AT Two o'Clock in the Afternoon the Admiral brought too on the Starboard Tack; and at Three o'Clock he made the Signal for me

to make Sail with my Diviſion, which I repeated, and anſwered by making all the Sail I could.

AT half paſt Three o'Clock the Admiral made the Signal for the Rear-Admiral and his Diviſion to make more ſail, which I repeated.

ALL this Afternoon kept forming into a Line according to the Signal abroad, and going down upon the Enemy, who were going afore the Wind, retreating in great Diſorder.——

THE *Spaniſh* Squadron was a-head, and to Leeward of the *French*: Four of their Ships were diſabled, among which was the *Real*, the *Spaniſh* Admiral, whoſe Flag was flying without a Top-maſt on end, or a Yard a-croſs, in tow of a large Ship.

At Six o'Clock.

OUR Fleet brought to with their Starboard Tacks, being perfectly well formed in a Line of Battle. The Body of the *Spaniſh* Squadron bearing of me S.W. by W. and the Body of the *French* S. W. by S. At Seven o'Clock the *Eſſex* ſet the *Spaniſh* diſabled Ship, that ſtruck the Day before, on fire, and ſhe ſoon blew up.

THE *Burford* join'd us from *England*, and fell into her Station in the Line of Battle.

At Ten o'Clock at Night.

LOST Sight of the Enemy. Little Wind N. N. E. fine Moon-light Night.

AT half paſt Two o'Clock the Admiral fired Ten Guns, the Signal for the Fleet to make ſail, which Signal I repeated and made ſail, and continued my Courſe to the Weſtward with a freſh Gale.

At

At Day-break.

I made the Signal for ſeeing above Twenty Sail of the Enemy, then bearing about W. S. W. of me.

At Seven o'Clock.

THE Admiral hoiſted a Flag ſtriped red and white on the Flag-ſtaff at the Foretop-maſt-head, and fired a Gun; which Signal, by the Thirteenth Article of the Fighting Inſtructions, is for the Vice-Admiral and his Diviſion to draw into a Line of Battle a-head of one another: But by the Fourteenth Article of the Sailing Inſtructions, it is for the Vice-Admiral to ſend Ships to chace: Upon ſeeing the Signal made by the Admiral, I repeated it, and with my Diviſion in the Line of Battle one Ship a-head of another gave chace, gaining upon the Enemy, and making their Ships more plain, being able to ſee them from the Deck, and the Real in tow.

AT Eight o'Clock, the Admiral made the Signal for the Ships to windward to bear down into his Wake.

At Nine o'Clock.

HE made the Signal for the Fleet to give over chace: Afterwards he made the Signal for my Captain, but ſoon haled it in again, and ſent the *Winchelſea* to me, whoſe Captain came on Board with Directions for me to give over chace, and come into the Fleet, and keep near to the Admiral.

AT Ten o'Clock, the Admiral continuing the Signal abroad for the Ships to windward to bear down into his Wake, fired another Gun.—Freſh Gales; the Wind came more to the Eaſtward. Loſt ſight of the Enemy.

THE Account I have now given, is to the beſt of my Knowledge, Judgment, Obſer-

vation and Belief, a faithful and true Account of the Diſpoſition and Proceedings of his Majeſty's Fleet, and of the Combined Fleets (ſo far as my Situation would allow) previous to, and after the Engagement: And if in the Delivery of it I appear too minute, I muſt beg leave to inform this Honourable Houſe, that in the Courſe of this Inquiry many Incidents and Accidents, ſmall in themſelves (and to Gentlemen not properly well acquainted with Maritime Affairs, appearing perhaps trivial) may be attended with great, very great Conſequences, eſpecially in regard to my ſelf, whoſe Behaviour upon that important Occaſion, muſt in ſome meaſure be juſtified or condemned from them; and although it has been my Misfortune, not my Fault, to have received what I muſt humbly preſume to call a ſevere and undeſerved Cenſure of my Conduct in the Engagement, yet I am not without hopes, that when this Inquiry is perfected, the Gentleman, whoſe Authority laid the preſent Suſpenſion on me, will have reaſon to think I did not deſerve it: And I flatter my ſelf no leſs, that when all Circumſtances ſhall be laid before this Houſe relating thereto, with ſuch Evidences as in a ſhort Time I ſhall be able to produce in ſupport of them, that my Conduct ſhall appear in a Light very different from what my Enemies have placed it, and not unworthy the Truſt, the Poſt, and Duty of an Admiral. My Honour, my Experience, and long Service, make an Inquiry moſt welcome to me, either here or in any other Place: It is what I have long ſolicited for, and as the Reſult of it will give publick Satisfaction, I eagerly and earneſtly attend to it, as the only Means of having Juſtice done to my ſelf and to every other Object of it.

Vice

Vice-A------l *L-----k*

TO

The D---- of *N-----le.*

Which accompanied a Copy of the *Suſpenſion.*

Saliſbury, *in* Mahon-Harbour,
My Lord Duke, 20*th* March, 1743.

YOU will be pleaſed to ſignify to his Majeſty, that on the 16th, after the Night watch was ſet, in return to my Rejoinder, Mr. *Mathews* judg'd it proper to ſend me an Order of Suſpenſion. I know not what he writes to your Grace in Reply to it; for he has not thought me deſerving of any other Anſwer. I can now only ſay, that I have been deprived of my Authority in a very extraordinary Manner, and injured in the tendereſt Point, that of my Reputation; wherefore I humbly hope for all the Redreſs which is due to me, after ſuch an undeſerved arbitrary Stretch of Power.

THE *Salisbury*, ſince ſhe was appointed to proceed with me to *England*, has been ordered to convoy the *Turkey* Ships home, ſo that my Paſſage will be ſo much the longer, and conſequently the Oppreſſion the greater; until I can throw myſelf at his Majeſty's Feet to ſeek Juſtice. In the mean time, I thought it my Duty to ſend your Grace a Triplicate of all the Papers that have paſſed between us, excepting the Lines of Battle; which, the little Time I have had, the Uncertainty of an Opportunity, and Hurry I have been in, would not permit. I am exceedingly glad to catch at the leaſt Appearance of an Opportu-

nity, not knowing but the ſame Man, who thus ſtops the Channel of Correſpondence between your Grace and me, may alſo uſe all Ways and Means to get at my Packets. I have only to beg, that your Grace would be ſo good to excuſe the Errors that may be committed from ſo much Hurry, little Time, and want of proper Clerks. I muſt likewiſe beg, that you would be pleaſed to cauſe a Copy of this Letter, with Mr. *Mathews*'s Order of Suſpenſion, and my Anſwer, to be ſent to my Lords of the Admiralty; for I have no Time, as the Ship who carries this, is already getting under Sail; and in caſe Mr. Secretary *Corbett* ſhould not have received my two former Packets, I believe your Grace will think it neceſſary for his Majeſty's Service, that Copies of the whole may be ſent to him for their Lordſhip's Information. I am,

My L—— D——,

Your G——'s, &c.

R——d L———k.

Vice-A——l L——k to the D—e of N———le, *from on board the* Saliſbury *at* Mother-Bank, *near* Spithead, 24*th* May, 1744.

My L—— D——,

I HOPE your Grace received my Packet of the 16th of *March* from *Mahon*, with a Duplicate thereof; likewiſe my Letter of the 20th of *March*, with a Copy of Admiral *Mathews*'s Order of Suſpenſion, and a Triplicate of all the Papers, which had been before ſent to your Grace. I beg Leave to acquaint you, that the *Salisbury*, being directed to carry me home, ſailed from *Mahon* the 26th of *March*, with Merchant Ships under her Convoy, and arrived at *St. Helens* Yeſterday.

WHEN

WHEN I had flattered myſelf, what little Merit I poſſeſſed, was the Knowledge I had acquired in my Profeſſion, by the Dint of a long Experience, and a fervent Zeal for his Majeſty's Service, always receiving in the Execution of my Duty, Approbation and Applauſe; a ſenſible Encouragement to a Man who means well, and endeavours his utmoſt; when an unblemiſh'd Reputation, and the general Eſteem, as an Officer well qualified, and well acquainted in his Majeſty's Service, were my Conſolation, at this time of Day, to feel ſo grievous an Injury, ſo undeſerved, and heavy an Oppreſſion, is too ſevere for me to bear its Shock: Nothing ſupports me under its Preſſure, but the Certainty of the King's Juſtice, and his moſt gracious Bounty to all his Servants: It is with infinite Regret, I am now neceſſitated to obſerve to your Grace, that while Admiral *Mathews* has enjoyed the Command in the *Mediterranean*, by making ſuch a great Number of Officers, as he has done, and beſtowing other Favours, which accrue from his extenſive Power, he has been able to raiſe up many great Friends, and to form an Intereſt, capable of overthrowing Truth and Innocence, in the Vindication of himſelf, and the Miſrepreſentation of me. He is not only a more potent Adverſary than ever he has yet been; but, alas! I appear, in the Sight of the World, as a Delinquent, deprived of my Authority, and ſent home in an ignominious Manner, full in the Eyes of the Publick, at a Conjuncture, when it became more the immediate Duty of every Officer to exert himſelf, and ſacrifice his Life in the Support of the King's Commands; much more a Flag Officer, of my Rank and length of Service.

AND as moſt of Mankind will conclude, that Admiral *Mathews* has had good Reaſons for ſo extraordinary a Proceeding; the Odium of the Failure of

his Majeſty's Fleet will fall on me, and I ſhall be univerſally condemn'd. To guard, then, in ſome Meaſure, againſt ſuch a Weight of Injuſtice and Affliction in this the Opinion of the Nation, and my unfortunate Circumſtances, until his Majeſty, in his great Wiſdom and Goodneſs, ſhall judge it neceſſary and convenient for me to juſtify myſelf at a legal Trial, that the Guilty may be openly detected, to take this Cenſure off me; in the me an time I humbly implore that his Majeſty will be graciouſly pleaſed to grant me his Royal Leave to print the Papers on both Sides, which paſs'd between Admiral *Mathews* and me; which, in all Probability, may prevent ſcandalous Inſinuations, Prejudice and Falſhood taking root, to add to my Perſecution.

THE 26th of *April*, in the Evening, the *Salisbury* got under Sail from *Gibraltar*, but Captain *Barradale*, of the *Shark* Sloop, having the 26th examined a *Dutch* Ship off Cape *Traſlagar*, was informed by the Maſter of her, that the 24th he ſpoke with a *Spaniſh* Ship of War of 68 Guns, with a Fly-boat under her Convoy; and that next Day he ſaw them both go into *Cadiz*; and on the 26th his Majeſty's Sloops, the *Saltaſh*, *Shark*, and *Xebec* cruizing in the *Gut*, having made this *Spaniſh* Ship of War, with two Ships under her Convoy; one of which was a large Fly-boat, ſuppoſed to be loaded with Stores for the Enemy at *Carthagena*, Captain *Spragge* diſpatch'd the *Xebec* with this Information; whereupon the *Salisbury* anchored again. The 27th in the Morning ſhe weigh'd with the Trade, and ſaw the *Spaniſh* Man of War (which Ship was the *Grand Lyon* of 70 Guns) paſs thro' the *Gut*, with the Ships under her Protection, the *Salisbury* continuing her Courſe to the Weſtward with a freſh Eaſtern Gale; and in her Paſſage home ſhe has neither met with one Cruizer, nor received any Intelligence.

THE

THE *Salisbury* has had no Communication as yet; for even the Cuſtom-houſe Boats refuſed taking our Letters, and ſhe is now going to perform Quarantine; and as ſoon as it is over, I ſhall have it in my Power to wait on your Grace. In the mean time, I beg the Honour of an Anſwer. I am,

My L———,

Your G———'s, &c.

R——d L——k.

The D——ke of N———le's *L---r to Vice-A———l* L———k.

SIR,

White-hall, May 29, 1744.

I HAVE received the Favour of your Letter of the 24th Inſtant, and have laid it before the King: As I ſhall ſoon ſee you here, I ſhall then have an Opportunity of acquainting you with his Majeſty's Thoughts upon the Contents of it, which makes it unneceſſary for me to ſay any thing further at preſent, than that I am,

SIR,

Yours, &c.

H——s N——le.

Vice-

Vice-A——l L——k *to the D—— of* N——le.

My L—— D——,

LAST Night I arrived in Town; but the Gout being upon me, that I am unable to ſet my Foot to the Ground, prevents my waiting on your Grace, agreeable to the Intention of,

My L—— D——,

Your G——'s &c.

Whitehall
18*th* June 1744. R——d L——k.

Vice-A——l L——k *to the E——l of* Win——ſea.

My Lord,

WHEN I received the Honour of your Lordſhip's Letter at *Portſmouth*, informing me, that his Grace the D—— of *N*——— had, by his Majeſty's Command, laid my two laſt Letters before my Lords Commiſſioners of the Admiralty for their Opinion, I was extremely ill of the Gout. After waiting there till laſt *Saturday* Morning, I ſet out for Town, and on *Monday* acquainted Mr. S——ry *C——tt*, by Letter, of my Arrival here; but as the Diſorder continued to deprive me of my Legs, I could not poſſibly wait on their L——ſh——ps. Since which, I underſtand the Opinion of your Board has been ſent to his Majeſty; which, with the King's Reſult thereupon, I am entirely ignorant of: And what now adds to my Mortification and the Weight of Affliction I labour under, is the News of the Promotion of junior Flag-Officers to the Rank above me, while I am left out (*a*).

THE

(*a*) Mr. *Stuart* and Sir *Charles Hardy*, inferior Flag Officers to Vice-Admiral *Leſtock*, were, at this time, promoted to the Rank above him.

THE Moment I can ſtand upon my Legs, I ſhall not fail of waiting on your Lordſhip; but in the mean time, as this Appointment to my Prejudice and Diſhonour, appears to be like Judgment, preceding Conviction, a Sanction to Admiral *Mathews*'s Injuſtice, Miſrepreſentation, and Calumny, in regard to me, and a Demonſtration of Guilt to the World, without the Juſtice of a legal Tryal, which I humbly apprehend I have an indubitable Right to, I cannot help preſuming to beg of your Lordſhip an Explanation. I am,

My Lord,

Yours, &c.

Charing-Croſs, *the* 21*ſt* June 1744.

R——d L——k.

E—l of Win—— *to Vice-A——l* L——k.

SIR,

I am very ſorry for the ill State of your Health, by which I have been prevented ſeeing you. I am ſurprized you ſhould think that a Promotion of Flags, during the Time of your Suſpenſion, gives any Sanction to what has paſſed in relation to your Conduct, without entering into the Merits of your Cauſe, one way or other. Whenever that comes to be heard, the Crown will undoubtedly do you Juſtice, and 'till then, either hoiſting of your Old Flag, or giving you a new one, would be as premature, as you ſay every thing has been which has happen'd to you ſince the Action in the *Mediterranean*. I am,

SIR,

June 21, 1744. *Yours*, &c.

Win——ſea.

Vice-A—— L——k to the E——l of Win——ſea.

My L——,

I AM extremely obliged to your Lordſhip for the Explanation which I receiv'd laſt Night; I am now entirely ſatisfied: But without ſuch an Anſwer I muſt confeſs, it would have added to the Pain of the Gout. People, in my Circumſtances, are very ſuſceptible of Jealouſy, eſpecially where their Pretenſions and Seniority ſeem to be invaded: I hope, therefore, your Lordſhip will forgive the Infirmity of Human Nature. I am with the greateſt Reſpect,

My L——

Yours, &c.

R——d L——k.

Vice-A——l L——k to the D—— of N——le.

My L—— D——,

July 1744.

IN Obedience to your Grace's Commands, I waited on my L—— *Win——ſea*, and the Admiralty Board; who tell me, that my Affair was indeed referred to them for their Opinion, and accordingly they had ſent their Judgement to your Grace for His Majeſty's Information; conſequently I muſt now attend your Grace for the Royal Reſult.

WHILE I am thus injured and oppreſſed, once more I humbly pray your Grace would be pleaſed to approve of my publiſhing the Papers, that paſſed between Admiral *Mathews* and me. In which I ſhall forbear publiſhing your Grace's Letter after my Arrival at *Spithead*; the only one I have had the honour to receive from your Grace, relating to theſe Papers.

What

What induces me to be the more urgent, beſides my Reputation as an Officer being at Stake, is certain Intelligence, that theſe Papers will be publiſhed by other Hands; there being many Copies in Town, wherein Falſities and Miſtakes may be inſerted, and the Publick impoſed upon; therefore I beſeech your Grace's Conſideration. I am,

My L—— D——,
Your Grace's, &c.

R——d L——k.

Vice-A——l L——k to the D—— of N——le.

My L—— D——, July 27*th*, 1744.

IT is now above two Months, ſince I made my firſt Application to your Grace for publiſhing thoſe Papers that paſſed between Admiral *Mathews* and me, as what I owed my ſelf in ſupport of an injured Reputation; but as I received no Anſwer before your Grace went into *Suſſex*, I was neceſſitated to trouble you with another Letter to this Purpoſe, and I humbly hope now for your Grace's Determination: Being the more ſollicitous therein, from a certain Information that they will be publiſh'd by other Hands, perhaps to my Diſadvantage, and the Impoſition of the Publick. I beg leave likewiſe to acquaint your Grace again, that in Obedience to your Commands, I waited ſeveral times on my L—— *Win——ſea* and the Admiralty Board; who tell me my Affair was indeed referred to them for their Opinion, and accordingly they had ſent it to your Grace for his Majeſty's Information, conſequently that I muſt now attend your Grace for the Royal Reſult. I am,

My L—— D——,
Your Grace's, &c.

R——d L——k.

Vice-A——l L——k *to the D—— of* N——le, *to the ſame Purport as his former Letters.*

My L—— D——,

Auguſt 13, 1744.

I AM under the greateſt Uneaſineſs for fear of being thought troubleſome, a Character I would avoid at any rate, eſpecially to your Grace; but what I foreſaw, and mentioned in my Letters, is come to paſs; for in ſeveral of the daily Papers of laſt Week, the Papers that paſſed between Admiral *Mathews* and me, are advertiſed to be publiſhed, therefore I am forced to renew my Application; begging that I may have his Majeſty's Leave to print them my ſelf, to prevent the Publick being miſled by a ſpurions Copy. I have taken the Liberty to incloſe one of theſe Papers, to convince your Grace of this Truth.

I MUST likewiſe beg leave again to repeat to your Grace, what I have mentioned in my former Letters, That in Obedience to your Grace's Commands I waited on my L—— *Win——ſea* and the Admiralty Board, who tell me, that my Affair was indeed referred to them for their Opinion, and accordingly they had ſent it to your Grace for His Majeſty's Information; conſequently that I muſt attend your Grace for the Royal Reſult (*b*). I am,

My L—— D——,

Your Grace's, &c.

R——d L——k.

Mr.

(*b*) Mr. *Leſtock* did not only write frequently on the ſame Subject to his G— the D—ke of *N——le*, but took all Opportunities of waiting on him, for near three Months together, which Conſtancy at laſt produced the K—g's Order to the L—ds of the Ad——ty, ſignifying his Pleaſure to bring Admiral *Leſtock* with all poſſible Expedition to his Trial.—Accordingly, Mr. S——y *C——tt*,

Mr. S——ry Cor——tt *to Vice-A——l* L——k.

SIR,

Admiralty-Office 20*th* Aug. 1744.

THE Lords Commiſſioners of the *Admiralty* having received his Majeſty's Pleaſure to bring you to your Tryal, for your Conduct in the late Action againſt the Fleets of *France* and *Spain*, in the *Mediterranean*, and that the ſame ſhould be done in the moſt expeditious manner that the Circumſtances of the Caſe will admit; His Majeſty judging it for his Service that an Affair of ſuch Conſequence to the Publick ſhould be immediately enquired into, I am ordered by their Lordſhips to acquaint you, that they deſign to have a Court-Martial held here in *England* for that Purpoſe, ſo ſoon as Mr. *Mathews* and you ſhall be ready for it. Their Lordſhips direct you to prepare for the ſaid Tryal, and to let their Lordſhips know when you are ready. I am,

SIR,

Yours, &c.

Tho. Cor—tt.

C—tt, by his Letter of the 26th of *Auguſt* 1744, gives him Notice. But as to the Printing the Letters and Papers that paſs'd between the Admirals, Mr. *Leſtock* was forbid doing it, in the Name of the M——y, which he forbore.——However, in the ſame Month theſe Papers were publiſh'd, with Remarks on, and Anſwers to the Narrative of the Fleet in the *Mediterranean*. Whatever Satisfaction the Original Papers might give the Publick, to ſhow where the Fault lay, theſe Remarks and Anſwers were ſo Trifling, Weak, and Inſignificant, that they were not thought deſerving of a Reply; as they ſeemed rather to illuſtrate the many glaring Truths, and ſtrong Arguments of the Pamphlet, entitled, *The Narrative*, than to controvert and prove the Falſhood and Malignity of them.

Vice-A—l L——k to Mr. Sec——y Cor——tt.

SIR,

Auguſt 21, 1744.

NOTHING ever gave me greater Pleaſure than the Receipt of your Letter of yeſterday's Date: An Enquiry into my Conduct, for the ſake of his Majeſty's Service, the Publick Good, and in vindication of my ſelf, has been my conſtant Application to his Majeſty's Principal Secretary of State from the Day of my Arrival 'till now; the Knowledge therefore of the Royal Reſult, cannot but give me Joy, and alſo I think myſelf much obliged to their Lordſhips for the Early Notice you have given me of their Intention, it is a ſure Inſtance of their Juſtice; tho' I am conſcious my Cauſe is ſuch, that I want no other Preparation than the Arrival of the Evidence, having from the beginning been ready to juſtify myſelf, to fix the general Odium where it ſhould lay, and to overthrow all Miſrepreſentation and Calumny.

IT is neceſſary however for me to obſerve at this time to their Lordſhips, that I have no Charge againſt me beſides the Queries, which Admiral *Mathews* ſent to me; theſe, with his Replications to my Anſwers, imply my Accuſation, as well from the Tenor of the Order of Suſpenſion, as from your Letter ſignifying His Majeſty's Pleaſure to their Lordſhips to bring me to my Trial for my Conduct, in the late Action againſt the Fleets of *France* and *Spain* in the *Mediterranean*.

IN a Caſe then where an impartial Enquiry and the ſtricteſt Scrutiny are abſolutely neceſſary, towards the Explication of ſo important a Subject, with ſubmiſſion to their Lordſhips, it appears requiſite to me, that the Evidence ought not to be confined to any Particular Number, but to include all the Captains, Officers

Officers and Quarter-Deck People of the Ships in my Diviſion, (which Perſons from their Situation were the beſt able to diſtinguiſh) on the Day of the late Action in the *Mediterranean:* The greater Number of Witneſſes that are examined, the more conſpicuous, and notorious, will the Innocence or Guilt appear. But if his Majeſty's Service, or the Number of Ships under their Lordſhips Order to return home, will not admit of ſuch a Proceeding, I muſt with infinite Regret ſubmit to a leſſer Number, in which I hope their Lordſhips will do me the Juſtice to indulge me, as my Reputation, my All is at Stake, either including the Applauſe or Cenſure of the King, their Lordſhips, and the Voice of the Nation (*c*).

A L-

(*c*) The Diſadvantages the ſuſpended Admiral labours under are innumerable, while Mr. *M*———*s*, on the contrary, has all the Benefit that Fortune, Power and Intereſt can give him. Among the many Advantages we may venture to enumerate, that his Miſconduct cannot be enquired into, before Mr. *L*——*k* is juſtified; and if that never happens, then, in all Probability, he will exult over him, and his Raſhneſs, Folly, and Misbehaviour, particularly that of never exerciſing and diſciplining the Ships under his Command, by frequently drawing them into Lines of Battle, agreeable to his Inſtructions; and, above all, ſuffering the Enemy to get away the third Day with their lame Ships, by calling Mr. *L*——*k* off from the Chace, tho' undeniable Facts, and univerſally known, will nevertheleſs eſcape Cenſure, and be involved in the Vice Admiral's Condemnation, as it cannot be ſuppoſed, he will ever afterwards have Intereſt enough to bring him to an Account.——It is a Diſpute between an Admiral in Power, next to being at the Head of the Fleet, (joined to a formidable Intereſt of other Admirals, who, if they do not in ſome Meaſure owe to him their Promotion, yet they received many Obligations from him when he commanded) and an inferior Admiral, deprived of Power, and injured in the tendereſt Point, that of his Reputation, ſtruggling for Juſtice, and a fair Deciſion.——The Difference between being Proſecutor and Defendant is eaſily diſtinguiſhed, both in regard to perſonal Circumſtances, and the general Opinion of Mankind. In ſhort, one ſeems to have it in his Power either to become a powerful, ſtrenuous Friend, or a ſevere, bitter Enemy; whereas the impotent State the other appears in, ſeems to incapacitate him from being either of them.—The immenſe Wealth Mr. *M*———*s* has acquired, has given him Power, and the Number of

ALLOWING for what may poſſibly be, Unthinking and Unintelligible People, my own Preſervation

of Preferments he has ſo laviſhly beſtowed, at the Expence of publick Treaſure, has given him Intereſt, and raiſed up many Friends; there are the Proſpects of Power and Intereſt to allure with, and thoſe of Enmity and Reſentment to intimidate with, conſequently they muſt have ſome Weight and Influence, together with that implacable Hatred, nouriſhed almoſt from Infancy, and the Neceſſity of juſtifying his Conduct, by the Ruin of him, whoſe Vindication muſt condemn himſelf, nay bring about his Diſhonour, Infamy and Loſs of Fortune.—On the other Hand, Mr. *L——k*, in the Eye of the Law, is deemed a Criminal; beſides the Clamour of the Multitude, who received the firſt Rumour and Noiſe implicitly, which Reaſon and Innocence, tho' ever ſo viſible, can never eradicate, as their popular Fury render them incapable of forming a juſt Judgment, and making a diſpaſſionate Enquiry to remove the firſt Impreſſion, we have found him contending with almoſt inſurmountable Difficulties, to procure what every *Engliſhman* has an indubitable Right to, that of being heard, before he can be puniſhed, cenſured or diſgrac'd. He has had no Opportunity to accumulate Wealth, or make Friends, but from the Juſtice of his Cauſe; an inconſiderable Advocate in this Age! Let the Reader judge then, whether his Innocence muſt not be very conſpicuous, for a Court-Martial to acquit him honourably, compoſed of Sea-Officers, who cannot be excited, with regard to him, either by Hope or Fear; whoſe particular Intereſts cannot be leſſen'd, or Promotions endanger'd by his Reſentment, whatever their Sentence ſhould happen to be, eſpecially if they ſhould arm themſelves againſt him, by putting it for ever out of his Power to attempt it: Hence it can only be an honeſt Courage, capable of reſiſting every powerful Temptation, Fear and Deluſion, together with that Independence of Mind which enables a Court to do Juſtice, that can poſſibly acquit this unfortunate Gentleman. Conſidering theſe Circumſtances, with many others, equally prevalent, but too tedious to repeat, what hath he not at Stake? all that is dear to him; the Reputation of an Officer, and fifty Years Service. — Can it be thought in this View, by the Judicious and Impartial, an unreaſonable Boon to require the Officers and Quarter-deck People of two Ships, with the Fire-ſhip's People that were ſaved, being ſent for home?—Among which there ſhould be an Allowance made for the Ignorant and Stupid, who can give no reaſonable Account; for out of this Number, it is a Queſtion whether a fourth Part of them may be intelligible Perſons: Such is the Diſadvantage of ſending for Evidence at random, at ſo great a Diſtance, without the

vation will not ſuffer me to leſſen the Number of the annexed Liſt. I am,

SIR,

Yours, &c.

R——d L——k.

N. B. With the above Letter the Vice-A——l ſent a Liſt of Evidence, requeſting of their L——ps to ſend Orders to bring them home; but to this Letter no Anſwer was returned.

Vice-

the Poſſibility of knowing the Depth of their Knowledge and Apprehenſions, or afterwards amending any Defect of that Kind, proceeding from Ignorance, by requeſting the Trial to be put off, until more ſenſible Evidences are ſent for, and come home. For Example, there may be fifteen out of twenty, who can neither ſpeak for, nor againſt particular Facts; whereas the remaining five may be poſitive in their Depoſitions, and determine the Point. What Perſon then in being would truſt ſo great a Stake to ſo precarious a Dependance as that of ſending for a few, when the Laws of his Country give him Authority to inſiſt upon as many as he pleaſes? But tho' this be the Caſe of A——l *L——k*, it cannot be inferr'd that it is Mr. *M——s*'s: For after he ſuſpended the former, and ſent him home, with all imaginable Diſpatch, he had Time ſufficient to pick out, among the Crouds of his Creatures, to allure, nay to prefer ſuch Perſons as were willing to ſupport the Legality of this Suſpenſion, whether actuated thereto by falſe Gratitude and future Proſpects, or a Conformity to Truth—At leaſt this Gentleman had it in his Power to guard againſt ſending for unneceſſary People, who could not ſpeak to his Purpoſe, if he was ſo conſcientious to heſitate at any Iniquity and Injuſtice to finiſh what he had begun in Vindication of himſelf.—When all this is thoroughly conſidered, and that common Prudence and Self-preſervation, the firſt Law of Nature, direct us not to depend on the Juſtice of our Cauſe alone, but to arm againſt every ſiniſter Art and Stratagem, that a lame and wicked Cauſe may prompt; to which the Innocent and Unwary too often fall a Sacrifice, by being lull'd aſleep in a dangerous Security, and neglecting a proper Defence, with every neceſſary Preparation: It is rather to be wonder'd at, that Mr. *L——k*, did not inſiſt upon the Officers and Quarter-deck People of the whole Diviſion being ſent for, ſince it is not only obvious that moſt of theſe Ships from their being kept ſo long abroad, even longer than thoſe that are arrived, are hardly able to ſwim, but that the Officers and Quar-

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Vice-A———l L———k *to Mr. S——y*
Cor——tt.

SIR,

Chigwell, Aug. 30, 1744.

HAVING recollected that Admiral *Mathews* in his Replications to my Anſwers to his Queries, takes the Liberty to affirm that it was abſolutely in my Power to have ſtopt the four ſternmoſt Ships of the Enemy from getting a-head ſo near to the Fire-Ship, when ſhe was going down upon the *Spaniſh* Admiral; by which Neglect the Admiral ſays, according to his credible Informations, the Fireſhip muſt have ſunk by the Shot ſhe received from thoſe Ships, had ſhe not blown up: In order therefore to be the better able to prove this Accuſation to be unjuſt, and that not one of the Shot reach'd her; I muſt trouble their Lordſhips, deſiring they would be pleas'd to add to the Liſt of Evidence to be ſent for home, the Officers and Men who were on board of the Fire-Ship, or in the Boat along ſide of her, when ſhe blew up; as they muſt certainly be the beſt Judges, whether the Shot reach'd from that Quarter. I muſt likewiſe beg of their Lordſhips to add to the *Neptune*'s Liſt two Midſhipmen, whoſe Names are *Stamp* and *Davidſon*. I am,

SIR,

Yours, &c.

R———d L———k.

Mr.

ter-deck People of four or five of the nine Sail, which were ſuffered thus to come home without bringing any of his Evidence, maugre all his Sollicitations, might have at leaſt been exchanged with thoſe of his Diviſion, without any Inconveniencies, or injuring the publick Service: And, indeed, had it been the Exchange of the whole nine Sale, why not, when theſe Ships were

to

Mr. O----ne *(in the Abſence of Mr. Sec——ry* Cor——tt) *to Vice-A——l* L——k.

SIR,

Admiralty-Office, Sept. 1, 1744.

I HAVE received your Letter of yeſterday's Date, deſiring that the Officers and Men who were on board of the Fire-Ship, or in the Boat along-ſide of her, that was ſent to burn the *Spaniſh* Admiral, may be added to the Liſt of Evidence to be ſent for home; as alſo two of the *Neptune*'s Midſhipmen, which I have communicated to my Lords Commiſſioners of the Admiralty, and am, (in the abſence of the S——y)

Yours, &c.

R——d O——ne.

to bring Satisfaction to an injured Nation, big with Expectation, and to fix the Puniſhment and Odium upon the guilty Perſon? In Affairs of much leſs Importance, Officers and Quarter-deck People, nay even whole Ship's Companies have been turn'd over, or exchang'd; why it was declin'd and neglected now, is the more ſurpriſing, upon ſo extraordinary an Exigency, and is ſubmitted to the Judgment of the Reader.

Vice-A——l L———k *to Mr. Sec———ry* C———tt.

SIR,

November 16, 1744.

HAVING received a Letter from you, dated the 20th of *Auguſt*, " ſignifying his Majeſty's " Pleaſure to their Lordſhips, to bring me to a " Tryal, for my Conduct in the late Action in the " *Mediterranean*, and that the ſame ſhould be done " in the moſt expeditious manner that the Cir- " cumſtances will admit; His Majeſty judging it " for his Service that an Affair of ſuch Conſe- " quence to the Publick, ſhould be immediately " enquired into:" to prevent a Moment's time being loſt through my means, to retard the King's Commands, the publick Juſtice, and my own Vindication; next Morning, the 21ſt of *Auguſt*, I writ to you for the Information of their Lordſhips, expreſſing my Satisfaction and Pleaſure; and that nothing might be wanting on my Part, I annex'd a Liſt of Evidence, which were neceſſary to be ſent for immediately home, in ſupport of my Cauſe. To which I had no Anſwer, nay not even a Receipt for my Letter on ſo important a Subject; therefore I think it now my Duty to ſend you a Copy of it.

ON the 30th of the ſame Month, I ſent you another Letter, requeſting of their Lordſhips, and ſhowing the Neceſſity to add to the former Liſt of Evidence, the Officers and Men who were on board the Fireſhip, or in the Boat along-ſide of her, when ſhe blew up, near to the *Spaniſh* Admiral; as alſo two Midſhipmen more of the *Neptune*, *viz.* Mr. *Stamp*, and Mr. *Davidſon*; which Letter was acknowledged to have been received, in your Abſence, by Mr. *Oſ-*

burne.

burne. I cannot but be exceedingly ſorry and aſtoniſhed to learn, that their Lordſhips have not been pleaſed, in conſequence of the King's Commands for diſpatch, their Intention ſignified (to me) to hold a Court-Martial here in *England* upon me, and theſe my importunate Letters, to order the neceſſary Evidence home, on board of thoſe nine Sail of his Majeſty's Ships, that are expected every day from the *Mediterranean*; particularly as the *Namur*, my Adverſary's Ship, is one of them (*d*). For my own part, I feel this Delay to be extremely painful, and ſo much additional Weight to what I have ſuffered already, is almoſt inſupportable. Inſomuch that I think my ſelf obliged to trouble you again, begging their Lordſhips Juſtice and Conſideration, in ordering the Officers and Quarter-deck People home, of his Majeſty's Ships the *Neptune* and *Torbay*, with the Fireſhip's Officers and Men. My Caſe is ſo ſevere, that I am brought to be willing even to run the riſque of Danger, by leſſening the Number of Evidence, rather than not uſe Diſpatch in bringing my Cauſe to an Iſſue, after

(*d*) Mr. *L——k* here laments the more, and indeed with ſome Reaſon, that the neceſſary Witneſſes were not ordered home, on board of the nine Sail expected, particularly as the *Namur*, A——l *M——s*'s Ship was one of them: For, beyond all Diſpute, this Ship had a thorough Repair, and was compleatly fitted juſt before ſhe ſail'd; therefore ſhe muſt be in a much better Condition than any one of the remaining three ſecond Rates in the *Mediterranean*, that had been in Commiſſion eighteen Months longer upon Service, and now above four Years ſince they were clean'd; inſomuch, that while the *Namur* was able to keep the Sea, the *Barfleur* in particular was obliged to be ſent to *Mahon* to be patch'd up there: An evident Proof of A——l *M——s*'s Preheminence and Superiority, to the Prejudice of Admiral *L—k*, if not to the publick Service. Whether this Point was carried by miſrepreſenting the true State and Condition of the *Namur*, or by Dint of Intereſt, and the Power of Friends, we cannot ſay; but ſo it has happened, and may be ſuppoſed to have given Mr. *L——k* ſome Shew of Reaſon, from the Appearance, to glance it at their L——s in this Letter to Mr. S——y C——ll.

a conſtant Application, and Attendance of ſix Months for that purpoſe (*e*). I am,

Yours, &c.

R——d L——k.

N. B. *With the above Letter the Vice-A——l ſent a Copy of his Letter, dated the* 21*ſt of* Auguſt, *with the Liſt of Evidence annex'd thereto.*

(*e*) As we cannot pretend to give any juſt Reaſon why the L——s C——s of the *A———y* ſhould have declined ſending for the Evidence requir'd by Ad——l *L——k* (in his Letter of 21 *Aug.* next Day after receiving Mr. *Corbett*'s Letter, which ſignified the King's Pleaſure, and their Lordſhip's Reſolution) and omit ſo fair an Opportunity as that of nine Sail coming home together, which may not happen again while the War continues, the impartial Reader will not be diſpleas'd to find A——l *L——k* alarm'd on this Occaſion, and expreſſing his Surprize at the Neglect, and will take this Letter rather as a manifeſt Proof of his Earneſtneſs and Fervour to bring on the Hearing, than any Backwardneſs and Lukewarmneſs, as the Enemies to Truth, and him, have given out; nay ſome of them of Diſtinction, the Nature of whoſe Employments, one would have thought, ſhould have taught them Truth and Candour, and prevented their giving Scope to ſo much Ignorance and Malice. This Gentleman's Aſſiduity in ſpurring on the L—ds of the *Ad———y*, and demanding Diſpatch agreable to the K—g's Commands, the Aſtoniſhment he expreſſes, with the Complaints he makes that the Witneſſes had not been ordered home, nor yet he received any Reply to his Letter, requiring this Juſtice, tho' writ almoſt three Months ago, ſufficiently ſhew how ready and eager he was to juſtify himſelf; and that he had uſed his utmoſt Endeavours to forward the Enquiry.—What then are we to think of thoſe Men, thoſe Detractors and Revilers, when we find them publiſhing, and openly to all the World declaring the contrary, and loading the innocent Perſon with the Reproach of putting off, and protracting the Time of Trial, by raiſing Difficulties, and ſtarting trifling Objections?

Mr.

Mr. Sec———ry Cor——tt to Vice-A———l L———k.

SIR,

Admiralty-Office 20*th* Nov. 1744.

I HAVE laid before my Lords Commiſſioners of the *Admiralty*, your Letter of the 16th Inſtant, incloſing a Copy of one I received from you, dated the 21ſt of *Auguſt* laſt. As to my not owning the Receipt of that Letter, you are deſired to recollect, that it was an Anſwer to mine to you of the Day preceding; acquainting you, that their Lordſhips had received the King's Orders to bring you to your Tryal, which they ſhould do, ſo ſoon as you and Admiral *Mathews* ſhould be ready for it (*f*). As Mr. *Mathews* was then on his way home, by Land, their Lordſhips could not regularly proceed farther in that Buſineſs, either as to the ſummoning of Witneſſes, or otherwiſe; till he had delivered in the Subſtance of his Charge againſt you (*g*.) I had their Lordſhips Orders

(*f*) Mr. S———y is deſir'd in the Ad——l's Reply to recollect in his Turn, that tho' the Admiral's Letter acknowledged the Receipt of his the preceding Day, yet as it contained new Matter, Mr. *L——k* had a Right to an Anſwer, ſignifying their L——p's Reſolution, and not be kept three Months in Suſpenſe, without knowing what obſtructed the Juſtice he had a Title to demand of them.

(*g*) The ſummoning of Mr. *L——k*'s Witneſſes when he deſired it, could not have been attended with the leaſt Injuſtice to either Party, or any ill Conſequences; on the contrary, it would have made great Diſpatch in this Affair, and been a very neceſſary Proceeding, conſidering that theſe Ships were order'd home; ſuppoſing the Charge againſt him had not been known to be fixed and certain: But this was not the Caſe; their L——ps having received Mr. *M———s*'s Queries, and Reply to Mr. *L———k's* Anſwers to theſe Queries, together with the Copy of the Order of Suſpenſion (which had been all printed and publiſhed ſome Months

Orders to write to him on that Head, upon his Arrival in *England*; which I did on the 25th of *September*, acquainting him with the Orders their Lordſhips had received from His Majeſty, for enquiring into your Conduct at a Court-Martial, and that therefore they deſired to know the Particulars of what he had to charge againſt you, and what Evidence he deſired may be brought to ſupport the ſaid Charge: to which I received an Anſwer dated the 17th Inſtant, ſignifying, that he could not find his Papers to know the Names of ſome of his neceſſary Evidences, till two Days before (*b*); that his Charge againſt you is contained in the Queries, with the Addition of one more Article, the whole being put together in the annexed Papers for your Information.

YOU

Months ago) theſe undoubtedly then, with the K—g's Order to their L———ps, to try him for his Conduct in the late Action, imply'd and fixed the Charge in ſo explicit a Manner, that it was impoſſible to think that Mr. *L——k* could be try'd for any thing elſe; conſequently the Reaſon the S———y is pleas'd to give, could be of no Weight or real Hindance to their L———p's further Proceedings.

(*b*) Eſpecially when we find that Ad——l *M——r*, after his Arrival in *England*, was ſo patiently and paſſively ſuffer'd to be ſilent on that Subject for ſeven Weeks; and when the mighty Mountain brought forth, behold he excuſed himſelf, that he had not been able to find his Papers before, to know the Names of the neceſſary Evidences! An idle Pretence, and the more ridiculouſly pleaded on this Occaſion, as it is directed to a Board, where ſome of them had full well experienc'd what Pains and Labour he had taken to raiſe Objections towards obſtructing the coming on of the Trial; alledging, that Mr. *L——k* was not now in the Service, as if the Crown could have been brought to govern in the ſame deſpotick Manner as he has done, inconſiſtent with the Liberties, Laws, and Juſtice which are due to every *Engliſh* Subject. Beſides hinting, as weakly as ignorantly, that he could not be legally try'd, as probably a junior Flag-Officer to him would preſide at the Court Martial: As if the L—ds C———rs for executing the Office of Lord High Ad——l were not fully empowered, by an Act of Parliament, to grant a Commiſſion to any inferior Flag-Officer that they pleaſe, nay even were it to the junior Rear-Admiral,

YOU will judge, when you have peruſed the ſaid Heads, of what is charged againſt you, whether you would have any change made in the Liſt of Evidences you deſire, in your Letter of the 16th Inſtant, to be ſent for from the *Mediterranean*; and to let their Lordſhips know your final Determination thereupon, that they may give ſpeedy Orders for bringing them over; their Lordſhips being far from deſiring to reſtrain you in whatever you think neceſſary to your Juſtification. I am,

SIR,

Yours, &c.

THO. COR——TT.

miral, to try the firſt Admiral in *Great Britain*. What would the Enemies of Mr. *L——k*, the Creatures of Mr. *M———s*, and the Followers of his Fortune give, for ſo fair an Opening to declaim and inveigh againſt Mr. *L——k*? Surely theſe ridiculous Scruples and Heſitations, joined with that Slackneſs and paſſive Humour in the *Ad———ty*, would, with great Juſtice and Shew of Reaſon, give Room for Chaſtiſement and bitter Reproach. And after this, can any Wretch be adventurous and impudent enough to affirm, that the Delay to a national Satisfaction and publick Juſtice, proceeds from any Part of Mr. *L———k's* Conduct?

Heads

Heads of the Charge made by A———l M———ws *againſt the Conduct of Vice-A———l* L———k, *before and during the Action with the* French *and* Spaniſh *Fleets in the* Mediterranean, *on the 11th of* February 1743.

CONTAINING

The Queries ſtated by A———l M———ws, *and ſent to Vice-A———l* L———k *on the 20th of* February 1743, *as they are printed in the 12th and 14th Pages in the Original Letters and Papers between* M———ws *and* L———k.

ALSO

A———l M———s's *Reply to Vice-A———l* L——— ——k's *Anſwers to the aforementioned Queries, dated the 4th of* March 1743, *as printed in the* 18, 19, 20, 21, *and 22d Pages in the ſame Original Letters and Papers between* M———ws *and* L———k.

AND

An Extract of A———l M———ws's *Letter to Mr. S———y* Cor———tt, *dated the 17th of* November 1744, *an additional Article to the Queries, and Replies*, viz.

THE Charges againſt the late Vice-A———l *L———k*'s Conduct are contained in the Queries, and my Reply to his Anſwers to thoſe Queries I ſent their Lordſhips; to which I have now only to add, that he was guilty of a moſt ſcandalous Breach of Truſt, by ſending his own Captain (Captain

tain *Stepney*) to Captain *Purvis*, at that time under Confinement in order to be tried at a Court-Martial, on his own Accuſation, for Miſbehaviour in the time of Service, as appears in the ſaid Vice-A——l *L——k*'s Reply, &c. with Inſtructions to the ſaid Captain *Purvis*, how to conduct himſelf at the Court-Martial, and with Aſſurances that he would do him no Harm (*i*).

N. B, *The Queries and Reply were wrote at length, with the above Extract, which makes the whole Charge againſt the Vice-A————l, and as ſuch was ſigned by Mr. Sec————ry* Cor——tt.

(*i*) Undoubtedly Mr. *L——k*, with good Reaſon, might have refuſed anſwering to this additional Article, as what could not poſſibly, with any Degree of Juſtice, be reckon'd part of the Charge againſt him: However, he ſubmitted to it; arming himſelf with his own Innocence, and thereby preventing the Detraction and Calumny of his Adverſaries, who, upon this Occaſion, would have made the moſt ſevere and uncharitable Conſtructions.————Notwithſtanding this Article is called a ſcandalous Breach of Truſt, the firſt Lieutenant of the *Neptune*, on the Day of the late Action, candidly confeſſes himſelf to be guilty ſo far as to ſend to Capt. *Purvis*, though not by Capt. *Stepney*, to plead in his own Defence a manuſcript Addition to the firſt Article of the fighting Inſtructions, made and ſigned by the Commander in Chief, conſequently in full Force, tho' perhaps too unguardedly added, as it help'd, no doubt, to acquit the unfortunate Captain.——But ſo far from eſteeming this a Breach of Integrity, or an Act of Injuſtice, we cannot help thinking that Humanity and common Honeſty teach us this Candour and Charity to our Fellow Creatures; and what would have become the Judges of the Court-Martial, even the Preſident himſelf (if he was not ignorent of his own Order) to mention it, had its Notice eſcaped the Priſoner's Obſervation. Otherwiſe, by the ſame Parity of Reaſon, it may be deemed Juſtice to condemn a dumb Man, whoſe Innocence is known to his Judge, becauſe he cannot ſpeak to claim his Teſtimony; and it is thus made a ſcandalous Breach of Truſt for the Judge to ſpeak the Truth in his Behalf ——From ſuch Principles of Juſtice, and ſo open a Violation of the Rights and Privileges of Mankind, Heaven preſerve every Judge, and baniſh all ſuch Acts of Tyranny and Inhumanity.

Vice-A——l L——k to Mr. Sec——ry Cor——tt.

SIR,

Bury-Street, St. James's, Nov. 27, 1744.

YOUR Letter of the 20th Inſtant, with the Heads of Admiral *Mathews*'s Charge againſt me, did not come to hand before this Day; as it was not delivered at my Houſe in Town till the 22d, then ſent down to *Portſmouth*, where it miſſed me, having juſt ſet out, it was returned to Town after me. I did not expect, in obſerving I had received no Anſwer to my Letter of the 21ſt of *Auguſt*, that I had given my Lords Commiſſioners of the *Admiralty* the leaſt room for you to have deſired me to recollect, that mine of that Date was an Anſwer to yours of the preceding Day: I am very ſenſible it was; but I muſt beg you would be pleaſed to remember, that it contained alſo an Addition of new Matter, the Conſequences of what might have been expected after knowing the King's Pleaſure, and their Lordſhips Intention; a Boon, which Reaſon, Law and Juſtice authorize me to aſk, and their Lordſhips to grant. Whether then, the Satisfaction of knowing, if ſuch a Letter was received, the Requeſt granted, or refuſed, was too preſumptuous an Expectation, I ſubmit to their Lordſhips Judgment?

I COULD not poſſibly imagine what ſtopt their Lordſhips Proceedings, or prevented their ſummoning the proper Witneſſes——Three Months Application before I could obtain the King's Determination, after the knowledge of which, to live in a ſtate of Uncertainty three Months longer, and then to be told of nine Sail of his Majeſty's Ships coming home, with-

without bringing the Perſons neceſſary to bring my Cauſe to an Iſſue, whetted my Impatience, and prompted me to write my laſt Letter. So many Diſcouragements bring Pain and Mortification, more than ſufficient to tire my Patience, and the Loſs of ſo good an Opportunity ſo unexpectedly, adds Diſtreſs to every Diſappointment, and aggravates all that I have met with. Hence, I flatter myſelf, their Lordſhips have too much Humanity, and are too good Judges of Mankind, not to be ſenſible of what I feel in ſuch Circumſtances, under a Preſſure of Injuries, while the time has been thus protracted, and my Remedy put off; alſo to forgive my complaining to them, in whoſe Power I apprehend it was to redreſs me.

THEIR Lordſhips Condeſcenſion in letting me know the Reaſons, why they could proceed no farther, I eſteem a Favour conferred on me; likewiſe your acquainting me, that upon Admiral *M——ws*'s Arrival in *England*, by Letter of the 25th of *September*, you had ſignified to him the King's Pleaſure, and their Lordſhips Intention thereupon to bring me to my Tryal, and therefore deſired to know the Particulars of what he had to charge againſt me; but that you had not received an Anſwer till the 17th Inſtant, (the Day after you had received my laſt Letter.) Mature Deliberation! no leſs than ſeven Weeks time, under pretence that his Papers had been miſlaid, or could not be found. Which gives me room to ſay, that had that Gentleman been equally eager and haſty to convict, and to juſtify his Order of Suſpenſion, as he has been to injure and deſtroy, he would not now have been ſo full of Conſideration, ſo prone to Delay, Subterfuge and Evaſion. Surely it became him, if his Memory could not retain the Names of his Witneſſes, and their Informations, to have been ſure, to have brought ſuch Memorandums with him, unleſs he

thought he was accountable to none, and that trampling a Vice-Admiral under his Feet was of no conſequence, and needed no further Enquiry than the Knowledge that it was an Act of his Performance. I muſt take the Liberty to tell their Lordſhips, that I thought myſelf emancipated from his Oppreſſions, when I left the *Mediterranean*; conſequently I depended on them for all neceſſary Diſpatch: For was it to depend on him, I am perſuaded I ſhould never live to ſee the Day of my Tryal, for as much as it is his Intereſt to defer it, and mine to bring it about.

SHOULD not my Apprehenſions be juſtly grounded, their Lordſhips will only have the Trouble of having them read over; on the contrary, if they are, they are ſeaſonably hinted; I would rather appear troubleſome, than the Fear of becoming ſo, ſhould make me forſake my own Preſervation, and Self-Deſence. In like manner I am led to obſerve, that Admiral *Mathews* in the Extract of his Letter you were pleaſed to ſend me, calls me, "The late "Vice-Admiral," by which he ſuppoſes me no longer in his Majeſty's Service, like a great many others; and as it is natural for Mankind to believe what they wiſh, he imagines my Suſpenſion confirmed: indeed in that Caſe, I humbly apprehend I am without the Juriſdiction of Martial-Law. Though for my own part, I never impeached their Lordſhips Juſtice, even in Thought, much leſs believed that they would condemn without hearing, and puniſh without Conviction, inconſiſtent with the Laws and Conſtitution of this Kingdom. Yet as this is not a time to entertain the leaſt fear or ſcruple, I muſt beg their Lordſhips Explanation, whether I am a Vice-Admiral or not? More eſpecially as you, Sir, in the Superſcription of your Letters, ſince the Promotion of Flag-Officers, have never given me that Title. Beſides, ſhould I

be

be brought to ſubmit to be tryed by Judges, who have no legal Authority, I am ſo far intereſted, that let their Sentence be ever ſo favourable, it would not avail to bring me Satisfaction, for an injured Reputation, and loſs of Fortune.

AS to the additional Article to the Queries and Replies exhibited againſt me, I might in Juſtice refuſe anſwering to it, as it is without the Tenour of the Order of Suſpenſion, and his Majeſty's Pleaſure ſignified to their Lordſhips, to bring me to a Tryal for my Conduct in the late Action againſt the combined Fleets of *France* and *Spain* in the *Mediterranean*. However, I will not diſpute the Equity of it, nor deſire any Alteration to be made in the Liſt of Evidences in my Letter of the 16th Inſtant; ſince Captain *Stepney*, with ſome others, are there mentioned, ſufficient to prove the Falſehood and Malignity of this Aſperſion: But my Opponent thus ſeeking for Matter, puts me in mind of a ſinking Man, who would lay hold of any Twigg to ſave himſelf.

I muſt deſire their Lordſhips will be pleaſed to detain at home the Evidences you will find in the annexed Liſt.

I am, &c.

R——d L——k.

N. B. *With the above Letter was ſent a Liſt of Witneſſes, containing ſeveral Perſons Names now in* England.

Mr.

Mr. Sec———ry Cor——tt to Vice A——l L———k.

SIR,

Admiralty-Office, Nov. 29, 1744.

I HAVE laid before my Lords Commiſſioners of the *Admiralty* your Letter, dated the 27th Inſtant, from *Berry-Street*, St. *James*'s.

THEIR Lordſhips command me to acquaint you, that they are ſorry for every Incident that intervenes, to prolong the coming on of our Tryal. You are ſenſible that the firſt neceſſary Step was their receiving Admiral *Mathews*'s Charge againſt you; and that when they received the ſame, it was ſent forthwith to you.

NOW that you have in your Letter of the 27th Inſtant fixed on the Perſons you deſired to have produced for Evidences at the Tryal, (*k*) their Lordſhips have for the quicker Diſpatch requeſted his G—— the D—— of *N———le*, Principal Secretary of State, to let them have one of his Meſſengers, whom they will forthwith diſpatch, with Orders to Vice-A——l *Row—y* to ſend home all the ſaid Perſons either in a Ship of War on purpoſe, if his Majeſty's Service can ſpare one, or elſe by the firſt Ship of War bound home (*l*). As to ſuch of your Evidences as are now in

(*k*) With Submiſſion to Mr. S——y, the Witneſſes were equally fix'd the 21ſt of *Auguſt*, which is above three Months ago, as now.

(*l*) Accordingly a Meſſenger, a few Days after, was diſpatched to Vice-A——l *R——y*, to ſend home the Witneſſes.

in *England*, their Lordſhips will give the neceſſary Orders to keep them at home.

AS to Mr. *M*————*ws* ſtyling you the late Vice-Admiral, you do not expect any Anſwer from their Lordſhips for the ways of other Men; and as to my Clerks directing my Letters to you without naming your Flag, it appears to be the uſual Method of this Office, when Letters are ſent to Flag-Officers, whoſe Flags are not flying: however, I make no ſcruple to direct to you (as I do this) with your Flag-Title; it being out of doubt that a Flag-Officer ſuſpended does not ceaſe to be a Flag-Officer (*m*).

I WILL add one Remark to undeceive you in an Opinion, that ſeems pretty general in the Fleet; which is, if an Officer of the Fleet is out of Employment, he cannot be tried for Offences committed by him when he was employed: which is very erroneous, and without Foundation. I am, (*n*)

SIR,

Yours, &c.

Tho. Cor—tt.

(*m*) Though Mr. *L*——*k* knew himſelf to be in his Majeſty's Service, yet as there was a new Board of Ad————y going to be appointed, and Mr. *M*————*s* had alledged he was no longer a Flag-Officer, together with his Adherents, as well as many deluded People, at this Time to remove all Scruples, and to convince them of their Ignorance, the Queſtion was ſeaſonably put to their L————ps.

(*n*) Beyond all Diſpute, an Officer when he is out of Employment may be tried for Offences committed by him when he was employ'd;

N. B. *The above Letter was directed to* R————d L——k, *Esq; Vice-Ad——l of the* White Squadron *of his Majesty's Fleet.*

employed; but the Question which more properly arises here is, whether an Officer can be justly tried for Offences, after he has been already punish'd for them, by being discharged from the Service; or whether he can be legally reduced from whole Pay to half, under a Suspension from Duty, without a Trial? ——The Power of trying is certain, if the Crime is committed in actual Service and Pay. But the material Question is, what legal Power and Authority have the L——ds C————rs for executing the Office of Lord High-Admiral, to punish any Criminal whatever, otherwise than as a Court-Martial shall think fit?——However, we may venture to affirm, that a Person accus'd of any Misdemeanor, cannot, consistent with the Liberties and Laws of this Constitution, be punished, either by the Loss of his Post, his Pay, or the least Diminution of it, before he is tried.

To R——d L——k, *Eſq*; *Vice-A*——l *of the Red Squadron of his Majeſty's Fleet.*

SIR,

Admiralty-Office, 29 Jan. 1744.

MY Lords Commiſſioners of the Admiralty having called for all the Proceedings, in the Time of the late Board, for bringing you to a Court-Martial, for your Conduct in the late Action in the *Mediterranean*, in purſuance of his Majeſty's Commands; and finding that the ſaid Court cannot be held, notwithſtanding a great number of Witneſſes, whom you have applied for, are now in *England*, until the Arrival of a conſiderable Number of more Perſons from the Fleet in the *Mediterranean*, whom you have likewiſe demanded to be produced as Evidences for you at the ſaid Trial; and their Lordſhips having accordingly directed Vice-Adm-ral *R-wl-y* to ſend them immediately to *England*, in one of the Ships of the Squadron under his Command, if his Majeſty's Service, and the Orders he is under, will allow him to ſpare a Ship for that Purpoſe; or otherwiſe, in the firſt Man of War he ſhall ſend home; I am commanded by their Lordſhips to acquaint you, that ſo ſoon as the ſaid Perſons arrive, they will give immediate Orders for holding a Court-Martial; and their Lordſhips hope, that on your Part you will be ready for it.

I am, Sir, your moſt humble Servant,

Tho. Cor—tt.

To Mr. Sec——*y* Cor——tt.

SIR,

Berry-ſtreet, St. James's, Jan. 30, 1744.

LATE laſt Night I received your Letter of yeſterday's Date, directed to me as Vice-Admiral of the Red Squadron of his Majeſty's Fleet, which, until I am juſtified from Mr. *Mathews*'s injurious Suſpenſion, I apprehend I have no Title to. I am truly ſenſible of the great Candour and Juſtice of my Lords

Commiſſioners of the Admiralty, in having called for all the Proceedings of the late Board, for bringing me to a Court-Martial for my Conduct in the late Action in the *Mediterranean*, in purſuance of his Majeſty's Commands; by which I flatter myſelf their Lordſhips obſerved, that the Time has not been protracted, nor the Trial put off ſo long by any Meaſures of mine; but on the contrary, that I have uſed my utmoſt Endeavours, by repeated Application, having not loſt one Day or Hour ſtruggling to procure that which will bring me the greateſt Satisfaction in this Life, an Enquiry into my Conduct, after what I have ſuffered.

The Reaſons are beſt known to you, why ſo good an Opportunity as nine Sail of Ships at a time, coming home, was neglected, and brought none of my Witneſſes requeſted in my Letter of the 20th of *Auguſt*; and why, after Mr. *Mathews*'s Arrival in *England*, he was ſo patiently ſuffered to be ſilent for ſeven Weeks together, on the Subject of your Letter of the 25th of *September*, which he did not anſwer ſooner than the 17th of *November*, ſignifying he could not find his Papers, to know the Names of ſome of his neceſſary Evidences, till two Days before. You will be pleaſed to bear me witneſs, that I had no Share in theſe Delays; and, tho' painful and aggravating under my unfortunate Circumſtances, my Enemies have had the face to rumour abroad every where, that I have been the Perſon who has ſtarted Difficulties and trifling Objections, on purpoſe to gain Time, and to retard my Trial: This indeed is exulting, at the Expence of my Honour and Reputation; but how much I have deſerved ſuch inhuman Treatment, their Lordſhips (by having look'd over the Proceedings of the late Board) are now the beſt Judges.

Altho' I have all along guarded againſt the leaſt Delay on my part, and it is my ſole Ambition to forward my Trial, by all ways in my power; yet Juſtice, and my own Preſervation, will not admit of a Court-Martial being held, (as you ſay) notwithſtanding a great number of Witneſſes, whom I have applied for to be retain'd at home, are now in *England*, until the Arrival of a conſiderable number of more Perſons from the

the Fleet in the *Mediterranean*, whom I have demanded to be produced as Evidences for me at the ſaid Trial. I cannot ſuffer this to eſcape me, without requeſting you to remember that the Witneſſes now in *England*, which Chance ſent in my way, are few of them of my Liſt of the 20th of *Auguſt*, and none of them of my Liſt of the 16th of *November*, where you will find the Number of my Witneſſes greatly leſſened, and confined only to the *Neptune*, *Torbay*, and the *Anne Galley* Fireſhip, which neither Providence, nor the Will of their late Lordſhips had then given me: theſe are the material Perſons that are beſt able to ſupport my Cauſe, being the neareſt to my Perſon, as alſo to the *Namur*, of any of my Diviſion; conſequently the moſt neceſſary Witneſſes, as they could diſtinguiſh from their Situation all the different Motions of each Flag-ſhip.

As their Lordſhips have been ſo good as to direct Vice-Adm—l *R-ow-ey* to ſend my Witneſſes to *England*, in one of the Ships of the Squadron under his Command, if his Majeſty's Service will allow him to ſpare a Ship for that Purpoſe, I have nothing more to ſay, than to thank their Lordſhips for theſe their Directions, and likewiſe for your Letter of Notice of Yeſterday's Date. I am ready, the moment the Ship arrives with them; having no Wiſh or Prayer ſo fervently at heart, as that Mr. *R-wl-y*'s Orders may admit of a Ship being ſent; and that ſhe may eſcape the Enemy at *Cadiz*, and arrive with all poſſible Expedition, to deliver me from the Evils, which Calumny and Miſrepreſentation have added to the Load I have been ſo long neceſſitated to bear.

I am, Sir,

Your moſt Obedient,

Humble Servant,

R——d L——k.

To R——d L——k, *Eſq*; *Vice-Adm——l of the White Squadron of his Majeſty's Fleet.*

SIR,

Admiralty Office, 1ſt February, 1744.

I Have received your Letter of the 30th paſt, and have laid the ſame before my Lords Commiſſioners of the Admiralty. I am ſorry for the Miſtake in directing to you as Vice-Adm—l of the Red; it was a great Error of the Clerk who made the Letter up.

I am, Sir,

Your moſt humble Servant,

Tho—— Cor—tt.

To Mr. Sec——y Cor——tt.

SIR,

Berry-ſtreet, St. James's, February 2d, 1744.

THIS Morning I received your Letter of the 1ſt of *February*, ſignifying that you had communicated mine of the 30th paſt, to my Lords Commiſſioners of the Admiralty.

I am, Sir,

Your moſt Obedient,

Humble Servant.

R——d L——k.

To

To Mr. Secretary C——tt.

SIR,

Berry-Street, St. James's, Feb. 8, 1744.

TO my Letter of the 27th of *November*, I annexed a Liſt of Evidences that were in *England*, among which were mentioned ſuch Officers and Quarter-deck People of his Majeſty's Ship *Namur*, as were on board of the *Revenge* the 11th of *February*, 1743. And although in your Anſwer of the 29th of *November*, you tell me that the late Lords Commiſſioners of the Admiralty will give the neceſſary Orders to keep them at home, yet leſt any of them ſhould eſcape me, I muſt beg to mention underneath the Names of ſuch as are come to my Knowledge: And alſo as I have been informed that his Majeſty's Ship *Princeſs Louiſa* is under Sailing Orders, I muſt beg you will remind their Lordſhips, that Lieutenant *Richard Dubois* of that Ship, is mentioned in the ſame Liſt, as having been on board of his Majeſty's Ship *Ruſſel*, on the Day of the late Action in the *Mediterranean*.

I am, Sir,

Your moſt Obedient,

Humble Servant,

R——d L——k.

N. B. With the above Letter was ſent a Liſt of Perſons on board of the *Revenge*, the 11th of *February*, 1743, and came home in the *Namur*.

To Vice-Adm——l L——k.

SIR,

Admiralty-Office, Feb. 10, 1744.

MR. *Edward Clarke*, third Lieutenant of the *Ludlow-Caſtle*, and Mr. *Alexander Philips*, Purſer of that Ship, being in the Liſt of Perſons who you have deſired may be detained at home, as Part of your Evidence at the intended Court-Martial, and the ſaid Ship being under

under Orders to convoy the Trade to *Portugal*, and after a Stay of about ten Days at *Lisbon* to return to *England* with the homeward-bound Trade, from thence I am commanded by my Lords Commiſſioners of the Admiralty to deſire you will let me know, for their Information, whether you demand their ſtaying at home, to be in the way when the intended Court-Martial is to be held; in which Caſe other Officers muſt neceſſarily be appointed in their room, as the Ship cannot go to Sea without ſuch Officers.

I am, Sir,

Your moſt Humble Servant,

T——s C——tt.

To Mr. Secretary C——tt.

SIR,

Chigwell, Feb. 11th, 1744.

I Thank my Lords Commiſſioners of the Admiralty for your Letter of Yeſterday's Date; which I have juſt now received, by the Hands of my Servant. In Anſwer to which I muſt obſerve, that Lieutenant *Clarke* and Mr. *Alexander Philips* were not only mentioned in my Liſt of the 27th of *November*, but allowed to me by their late Lordſhips in your Anſwer of the 29th of the ſame Month, and really they are ſuch Evidences as I cannot ſuffer to eſcape me.

Their Lordſhips are the beſt Judges, whether the *Ludlow-Caſtle* will be able to return before the Day of my Trial; I muſt acknowledge, I would not willingly depend on that, for the Danger of the Sea and the Enemy are againſt me, beſides a longer Stay, that unforeſeen Accidents may occaſion, and prevent her from returning; in that Caſe therefore, I think no Man would truſt any part of his Cauſe upon ſo precarious a Footing; and as I have at ſtake, all that is valuable, I cannot poſſibly conſent to what may in any meaſure endanger my Preſervation, or render my Juſtification leſs manifeſt and perſpicuous.

However, as I ſhould be ſorry they ſhould loſe their Employments, I humbly hope their Lordſhips will be pleaſed

pleaſed to move them into Ships that are not immediately going abroad; particularly Mr. *Philips*, who, in conſideration of being Purſer of a Fourth-Rate, and unjuſtly ſuperſeded, was by my Lord *W*——*a* appointed Purſer of the *Ludlow-Caſtle*, until the Vacancy of a ſuperior Rate happened.

I hope, tho' you have taken no notice of it, you received my Letter of laſt Week, wherein I mentioned the Names of thoſe who belonged to the *Revenge* on the 11th of *February*, and came home in the *Namur*.

I am, Sir,

Your moſt Humble Servant,

R——d L———k.

To Vice-A——*l* L——k.

SIR,

Admiralty-Office, Feb. 12th, 1744.

I Have received and communicated to my Lords Commiſſioners of the Admiralty, your Letter of the 8th Inſtant, with the Liſt on the other Side of Perſons who belonged to the *Revenge* on the 11th of *February*, 1743, and came home in the *Namur*, wherein you have named Lieutenant *Mark Tiddeman* as one of your Evidences, in addition to thoſe you mentioned in your Letter of the 27th of *November* laſt; and in Anſwer thereto I am to acquaint you, that Captain *Berkeley* of the *Namur*, had (in purſuance of the Directions given him upon your former Application) returned hither the Names of all the ſaid Perſons, except the above named Lieutenant, who is upon Half-Pay, and ſhall be forth coming at the intended Court-Martial.

The Method their Lordſhips have taken to keep your Evidence together is as follows.

The Commiſſion and Warrant Officers who are immediately under their own Appointment, their Lordſhips will take care ſhall not go out of the Land till the Trial is over.

They have given the like Order to the Navy-Board, in relation to Maſters and Surgeons.

And

And as to the other Quarter-deck People, their Lordſhips have ordered them to be born as Supernumeraries on board one of the great Ships at *Portſmouth*.

And in anſwer to what you mention in your ſaid Letter, about Lieutenant *Dubois*, of the *Princeſs Louiſa*, I am to acquaint you, he has been ſome time ſince removed to the *Royal George*.

I have, ſince the writing this, received yours of the 11th, and in Compliance with your Deſire in relation to Lieutenant *Clarke* of the *Ludlow-Caſtle*, and Mr. *Philips*, Purſer of the ſaid Ship, their Lordſhips have removed the Lieutenant into the *Sandwich*, and given the Purſer leave to ſtay in *England*, and appoint a Deputy to act for him in the Ship during the Voyage.

I am, Sir,

Your moſt Humble Servant,

T——s C——tt.

To Mr. Secretary C——tt.

SIR,

Chigwell, Feb. 13th, 1744.

I Think it my Duty to thank my Lords Commiſſioners of the Admiralty for your Letter of Yeſterday's Date: The Method they have taken to keep my Evidences together, requires my Thanks and Acknowledgments; therefore be pleaſed to aſſure them, that I ſhall always retain the moſt grateful Sentiments of their Juſtice and Goodneſs.—I am alſo extremely thankful for the Remove of Lieutenant *Clarke*, and their Lordſhips Leave to the Purſer, Mr. *Philips*, to ſtay in *England*.

I have a true Senſe of all their Favours, and am,

Sir,

Your moſt Humble Servant,

R——d L——k.

ADMIRAL *MATHEWS*'s

CHARGE

AGAINST

VICE-ADMIRAL *LESTOCK*

Diſſected and Confuted.

[Price One Shilling.]

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VICE-

Let him-
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And ſtan
Bid him
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To clear
Myſelf v
And ſtri

Printed

ADMIRAL *MATHEWS*'s

CHARGE

AGAINST

VICE-ADMIRAL *LESTOCK*

Diſſected and Confuted.

Let him———
Submit his actions to the publick cenſure,
And ſtand the judgment of a ROMAN ſenate:
Bid him do this, and CATO is his friend,
Nay more, though CATO's voice was ne'er employ'd
To clear the guilty, and to varniſh crimes,
Myſelf will mount the Roſtrum in his favour,
And ſtrive to gain his pardon from the people.

ADDISON's CATO.

LONDON:

Printed for JOHN MILLAN, near Whitehall.

MDCCXLV.

ERRATA.

Pag. 2. *line* 22. *read* againſt Mr. Leſtock. *p.* 3. *l.* 22. *for* anſwer. Part 1. *r.* Firſt part of the anſwer. *p.* 4. *l.* 23. *r.* battle flying. *p.* 7. *l.* 26, 27. *r.* by him. *p.* 8. *after l.* 25. *r.* Second part of the charge againſt Mr. Leſtock. *p.* 10. *l. penult. for* me *r.* him. *p.* 14. *l.* 6. *r.* Lieutenants. *ibid. after l.* 20. *r.* Third part of the anſwer. p. 17. *l.* 15. *for* Mr. Leſtock's *r.* his. *p.* 22. *l.* 16. *r.* more than able. *ibid. l.* 34. *r.* lower'd. *p.* 23. *l.* 16. *for* defend *r.* anſwer. *p.* 24. *l.* 29. *r.* throw off all reſtraint. *ibid. the ſide note r.* Fourth part of the anſwer.

ADMIRAL *MATHEWS*'s

CHARGE

AGAINST

VICE-ADMIRAL *LESTOCK*

DISSECTED.

I Shall the more readily confine myſelf within the bounds of Mr. Mathews's accuſation, as the enquiry into this important affair cannot be thought to end in Mr. Leſtock's trial, for whatever ſatisfaction it may give an injured nation with regard to his innocence or guilt, even the latter ſhould it appear cannot juſtify and abſolve; every other officer concerned, unleſs it could be preſumed, which hardly I believe, his accuſer himſelf will venture to affirm, that in his conduct alone (even ſuppoſed to be bad) is involved this general evil and national diſappointment, now the ſubject of an enquiry.

But to proceed, Mr. Mathews's charge is contained in the queries ſent to Mr. Leſtock, and his reply to Mr. Leſtock's anſwer to thoſe queries, together with the addition of one more article ſince his arrival in England: This charge begins the 10th of February at night when the fleet brought to, which is the 11th by the cuſtom at ſea, and it ends when firing ceaſed next night. Therefore I ſhall only ſpeak to what happened within that time.

In order to come directly to the point, I have divided the charge againſt Mr. Leſtock into ſix different parts. Hence I propoſe anſwering each different part before I proceed to another part of the accuſation. For example, the firſt three queries with the firſt query in Mr. Mathews's replies to Mr. Leſtock's anſwers leading to the ſame purport, for the ſake of order and clearneſs, as well as their connection with one another, I will join together, and anſwer accordingly in this manner through the whole charge of Mr. Leſtock.

Firſt part of the charge againſt Mr. Leſtock.

The firſt query.

Firſt part of the charge againſt Mr. Leſtock.

'Did you not ſee the ſignal out for the line 'of battle when I made the ſignal for bringing 'to?'

Second.

'Was it not your duty to have brought to 'in the line of battle, agreeable to the ſignal then 'out?'

Third.

Third.

'Your reaſon for bringing to, with your Di-
'viſion, at leaſt five miles to windward of me,
'the doing of which you muſt know would
'make you be (as the wind was then) that diſ-
'tance a-ſtern of me, as you was when we made
'ſail? ——

The firſt query and paragraph in his replies to my anſwers, viz.

'By the Namur's log book the wind was
'at E. N. E. when we brought to the 10th of
'February; and from ten o'clock that night
'to fix the next morning, from the N. E. by
'N. to N. E. Query, whether you ought not
'to have kept the line, notwithſtanding the
'alteration of the wind, ſince it was in your
'power to have done it, inſtead of being, at
'break of day, full five miles in the winds
'eye of me; conſequently ſo many miles a-
'ſtern, when I made ſail, which is notorious
'to the whole Fleet?' ——

ANSWER.

Part. 1.

It is extremely ſurpriſing that Mr. Mathews ſhould aſk the Vice-admiral if he ſaw the ſignal out for the line of battle on board of him, when he found it to be ſo dark as to be obliged to make the night ſignal for the fleet to bring to on the larboard tack, which ſignal the Vice-admiral repeated, and agreeable to which he brought to. What room this gentleman can have for

putting this queſtion to him, at the ſame time that he alledges him to be at leaſt five miles off, let the world judge. As to reaſon and argument they have had little Influence over Mr. Mathews, wherein the Vice-admiral was concerned, and therefore it may be ſuppos'd, that, becauſe Mr. Leſtock was an inferior Flag-officer, and under Mr. Mathews's command, he thought he had a right to aſk or ſay any thing, however inſignificant or void either of reaſon or argument. What could poſſibly carry the Admiral ſo great a diſtance from the Vice-admiral as five miles? By looking over the log book, it could only be two or three hours ſail, with a ſmall breeze of wind, almoſt calm and a very ugly ſea againſt him*. If this was poſſible, (which we deny) the Admiral hereby impeaches his own conduct, as he does not charge Mr. Leſtock with loitering, or any miſconduct before bringing to. By this he confeſſes himſelf to be raſh and inconſiderate enough, without the leaſt regard to diſcipline, and his own order, the ſignal for the line of battle, flying to go down in confuſion upon an enemy formed in perfect order of battle, by leaving ſo great a part of his ſtrength, as the Vice-admiral's diviſion, five miles a-ſtern of him, with very little wind and a great ſwell. —— And divided ſo great a diſtance as five miles, according to Mr. Mathews's charge, he would have the Vice-admiral ſee a day-ſignal out for the line of battle in the dark, at a time when he made the night-ſignal for bringing to. —— How prepoſterous and unreaſonable, how contrary to the nature and reaſon of things, and common ſenſe, are the queries ſtated?

* Having layn to on the larboard tack till three o'clock. See log-book.

But

But as the Vice-admiral ſaw Mr. Mathews make the night-ſignal, and bring to, it cannot be denied, but that Mr. Mathews ſaw and heard Mr. Leſtock repeat it after him, and conſequently he muſt ſee by Mr. Leſtock's lights when he brought to with his diviſion. —— Is it reaſonable or poſſible then that he would ſuffer him to bring to at that diſtance from the center by which Mr. Mathews riſked his own honour, and the nation's ſafety upon very unequal terms, merely becauſe he ſhould have it in his power to reprimand and beſpatter Mr. Leſtock ?—— The three principal qualifications of an officer, are, firſt, to quarter his men, clear his ſhips, and put them in the beſt condition of annoying the enemy and defending themſelves ; the ſecond, to diſpoſe the fleet in a proper order for action ; and the third, to lead them on with intrepidity ; which is meant a cool courage in the commander, and in the ſubordinate officers a bold execution of the orders they received. Agreeable then to the ſecond of theſe qualifications, had Mr. Leſtock brought to ſo far to windward, or ſo great a diſtance from Mr. Mathews, as he ſays, would not he, in a caſe where he could not help ſeeing him, as much as Mr. Leſtock ſaw him, where not only the fate and liberties of his country depended, but all Europe, have immediately ſent to Mr. Leſtock to correct and reform his miſconduct, particularly an abuſe of that dangerous conſequence ? After theſe obſervations there does not ſeem to be the leaſt circumſtance of truth, or probability in this part of the charge againſt Mr. Leſtock.

As Mr. Mathews had neglected appointing a ſignal in the night for the line of battle, perhaps ſuch an overſight, of ſo evil a tendency, made him the more ſanguine in his expectations, that Mr. Leſtock ſhould ſee a day-ſignal for that purpoſe

flying

flying abroad in the dark night. But the weakneſs and inconſiſtency of this charge are made more manifeſt and plain, by conſidering the tenor of the night-ſignal he made for bringing to, which was the ſeventh inſtruction in the ſignals to be obſerved in ſailing in the night.

Signals by night.

Seventh.

To bringto, and lie by, after ſailing large, or before the wind.

'When the fleet is ſailing large, or before the 'wind, and the admiral would have them bring 'to, and lie by, with their ſtarboard tacks aboard, 'he will put abroad four lights in the fore-ſhrowds, 'and fire ſix guns; but if with the larboard tacks 'aboard, eight guns; which is to be anſwer'd by 'the flag-ſhips of the fleet: and every private 'ſhip is to anſwer with four lights (it being the 'ſame that is in the fourth article for bringing 'to in a fog) and the windwardmoſt ſhips are to 'bring to firſt.'

This ſignal is a full juſtification of Mr. Leſtock's bringing to, even ſuppoſing he had been really the diſtance from Mr. Mathews that he alledges; becauſe this inſtruction abſolutely requires the windwardmoſt ſhips to bring to firſt; and it cannot be ſaid that the laſt ſignal is not to be complied with, admitting it was in contradiction to a ſignal made before, or the ſignal for the line of battle, when it was ſeen flying.——But notwithſtanding it was impoſſible for Mr. Leſtock to ſee any other ſignal than the night-ſignal to bring to, he was actually in the line of battle with Mr. Mathews when he brought to, within three miles of the enemy, who bore away and edg'd from him the moment he brought to, and that he could not go nearer to them, unleſs he had broke the line of battle, or the Admiral had given

given him orders to chace and engage the enemy.—— At dawn of day Mr. Leſtock finding himſelf a greater diſtance from Mr. Mathews, as well as the enemy, than he was at night, he made ſail, and by that time the Admiral made the ſignal for the fleet to make ſail, he was near being a-breaſt of him. The difference in the diſtance between night and morning, was occaſioned by a ſhift of wind, and being within the eddy or indraught of the iſlands, while Mr. Mathews was in the offing, in the power of the current.

And to omit no circumſtance that may enforce Mr. Leſtock's innocence to the conviction of the world, Mr. Mathews made the ſignal in the morning for him that commands in the third poſt to make more ſail, before he made the ſignal for him that commands in the ſecond poſt to do the ſame; and Lieutenant Thomas Knowler told Mr. Leſtock on the Neptune's quarter-deck that the Admiral was very uneaſy that the Rear-Admiral did not make more ſail with his diviſion, and get into the line of battle; an inconteſtable proof that he thought the Rear-admiral a greater diſtance from him than Mr. Leſtock was: and notwithſtanding he ſent the Vice-admiral a meſſage by Lieutenant Jaſper, his Lieutenant, that he would lay by for Mr. Leſtock, until he could get up to cloſe with him, yet in ſuch a good ſailing ſhip, as the Namur was well known to be, he made more ſail, leaving Mr. Leſtock a greater diſtance a-ſtern: and, in ſhort, by his impatience and unfixed reſolution, not knowing his own mind, he himſelf alone occaſioned what he lays to Mr. Leſtock's charge, while in his courſe he near'd the Rear-admiral in the Barfleur, which ſhip was almoſt as foul as the Neptune, being near three years and a half without docking or careening.

I am

I am the more particular in this undeniable circumſtance of the Rear-admiral's being a greater diſtance from the Admiral than the Vice-admiral, that it may ſerve to prove the great hurry and haſte that the Chief made down upon the enemy in confuſion, without allowing a ſufficient time for the fleet to form into a line of battle; the center making too much ſail for the wings, or the van and the rear of our fleet. And as the Rear-admiral's diſtance was greater than Mr. Leſtock's from Mr. Mathews, with great juſtice it may be obſerved, that Mr. Mathews was blind and partial to the Rear-admiral's faults, while he was a ſevere ſcourge and cenſurer of Mr. Leſtock's actions, though regular and conſiſtent.——We cannot let this obſervation eſcape, that Mr. Leſtock may not fall a ſacrifice to the notorious blunders and miſconduct of others, and thereby his condemnation draw a veil over their guilt.

The next part of the charge againſt Mr. Leſtock is the beginning of the fourth query, which for the ſake of it's connection with the ſecond paragraph of the Admiral's replies to Mr. Leſtock's anſwers to thoſe queries, I ſhall join together; and continue the method I have begun.

The beginning of the fourth query, viz.

Second part of the charge againſt Mr. Leſtock.

'Did you not ſee the ſignal made by me to engage the enemy? your reaſon for not repeating the ſaid ſignal?'

Second paragraph in Mr. Mathews's replies, viz.

'It's true, that the thirteenth article of the fighting inſtructions does not mention that the ſignal for engaging the enemy ſhall be repeated by the other flag-officers; but I have reaſon to believe

'believe, that every Captain in your diviſion, for 'want of your having repeated it, as Rear-ad-'miral Rowley did, judged he was to keep the 'line, and not to make ſail a-head of you, in or-'der to engage; which many of them could 'have done, had they not expected your repeat-'ing the ſignal.'

Second part of the anſwer.

Second part of the anſwer.

It is neceſſary to premiſe, that Mr. Leſtock is held guiltleſs, from the time of his bringing to at night, to the time that the Admiral made the ſignal to engage the enemy, which was between ten and eleven o'clock in the forenoon.

Mr. Leſtock acknowledges, that he ſaw him make the ſignal to engage the enemy, and upon hearing his firſt Lieutenant order the ſignal-men up to repeat it, he forbid him, from his knowledge and experience that this ſignal is not to be repeated; as may be proved by the words of the thirteenth article of the fighting inſtructions: viz.

13.

'As ſoon as the Admiral ſhall hoiſt a red flag 'on the flag-ſtaff at the fore-top-maſt head, and 'fire a gun, every ſhip in the fleet is to uſe their 'utmoſt endeavour to engage the enemy, in the 'order the Admiral has preſcribed unto them (and to this article Mr. Mathews made a manuſcript addition, viz.) 'and ſtrictly charged to 'take care not to fire before the ſignal be given 'by the Admiral.'

Which article leaves no room for its being repeated; for where repeating is neceſſary, every article expreſſes it ſhall be repeated. And as Mr. Leſtock has been in two general battles, he affirms that the ſignal for battle was not repeated in either.

either. In that off Malaga, he was Lieutenant to the Admiral of the White, who did not repeat it, nor did any other flag ſhip, either Engliſh or Dutch.

The Rear-admiral's repeating this ſignal contrary to the tenor of this article, and all precedent from our predeceſſors, was no precedent to the Vice-admiral; neither does reaſon oblige him to anſwer for the expectations of the Captains of his diviſion, when they are ſo unjuſtly grounded, and ſo inconſiſtent with diſcipline and ſervice. But one would have imagined that if Mr. Mathews had intended this ſignal ſhould have been repeated, that while he made the manuſcript addition to this very article, viz. 'And ſtrictly charged 'to take care not to fire before the ſignal be giv-'en by the Admiral,' that he would have then ordered the repetition of it by all flag officers. By this addition he made, it is manifeſt that he had ſeen and read this article; and ſince he had the pen in his hand, why did he not go farther on, and give Mr. Leſtock authority and inſtruction to do that which he thought ſo neceſſary? For had he repeated it without, and the Rear-admiral had forbore, and followed the dictates of diſcipline and ſervice, we cannot help believing his accuſer would have made this a more plauſible and effectual charge againſt him, and from his miſapprehenſion and blundering, drawn conſequences againſt him much better for his purpoſe, than thoſe he has inferred.

But the extraordinary ſtreſs that is laid upon this ſuppoſed neglect of the Vice-admiral is very aſtoniſhing, as the Admiral alledges, that it hindered the ſailing ſhips of Mr. Leſtock's diviſion from making ſail a-head of me, in order to engage, and forced them to keep the line.

What,

What, would Mr. Leſtock's repeating this ſignal have given them authority to break the line, and go a-head of him? If there is a man in being but himſelf that could make ſo ridiculous a conſtruction, I ſhould be tempted to give up the Vice-admiral's cauſe, juſt and honeſt as it is, and will appear to be. Whatever the Captains of his diviſion might crudely expect and ſuggeſt, whatever might be Mr. Mathews's ſenſe and conſtruction of this ſignal, when he found himſelf fruſtrated, baffled, and diſappointed, and the enemy eſcaped at ſo eaſy a rate, which would infallibly fling an injured nation's odium upon the perſons, who by their ill conduct any ways contributed to ſo great a failure: hitherto we are perſuaded, in defiance of malice and aſperſion, that diſcipline and ſervice, and duty to his King and country, have been the conſtant rule and guide of the Vice-admiral's conduct. Though Mr. Leſtock's apprehenſion may not be ſo ſhrewd and penetrating as Mr. Mathews's, yet we may promiſe ourſelves the ſanction of every experienced officer for what we venture to affirm with regard to the real meaning of this ſignal and inſtruction, viz. that as ſoon as it appears abroad it is not a juſtification, or an authority to an officer to break the line, while the ſignal for the line of battle is kept out, and to engage the enemy in diſorder and confuſion. Common ſenſe and reaſon, with the conſtruction that the expreſs words of this very article will bear, teach, that it binds every officer to engage the enemy in the order the Admiral has preſcribed unto them.——What order elſe but that of the line of battle is here meant? Would then the Vice-admiral's having repeated this ſignal authoriſed the Captains of his diviſion to have acted contrary to the tenor of this inſtruction, in contradiction to the ſignal for the line of

battle then flying; alſo in contradiction to the 21ſt and 24th articles of the fighting inſtructions, *viz.*

Twenty firſt.

'None of the ſhips in the fleet ſhall purſue 'any ſmall number of the enemies ſhips till the 'main body be diſabled or run.

Twenty fourth.

'No ſhip in the fleet ſhall leave her ſtation 'upon any pretence whatſoever.' *&c. &c. &c.*

Never before was a ſignal made to engage the enemy, before the fleet were formed in a diſpoſition of battle, according to the ſignal for the line. In the battle of Malaga, Sir George Rook did not make this ſignal before he was within gunſhot of the French Admiral; in the battle of Beachy-head, it was not made till juſt before the action began, long after the fleet had been drawn into a proper order of battle. Though we had the ſuperiority of 36 ſail of the line of battle, in the battle of La Hogue, yet that great officer Admiral Ruſſel, a true pattern of diſcipline and knowledge, who enlightned us by farther introducing and maintaining naval exerciſes, in the art of ſhip fighting, who always held order as an indiſpenſable leſſon, and capital inſtruction to ſucceſs and victory; though he had lain long in perfect order of battle ready to receive the French, yet upon obſerving Monſieur Tourville had put out his ſignal for battle, he commanded that his ſhould not be ſpread untill the French (who had the weather-gage) were come as near as they thought convenient, which was within three quarters muſket ſhot. And indeed in all the battles that ever were ſeen, heard, or read of, the ſame caution and circumſpection were ob-

ſerved, if the Admiral who commanded was an officer of common experience and judgment. But againſt theſe excellent rules of war and prudence, Mr. Matthews himſelf, a ſufficient precedent to make theſe obſolete, made this ſignal three hours before action, while the fleet, ſo far from being in a line of battle, were in the greateſt confuſion and diſorder, going down upon an enemy who was in perfect order, ſtretching to the Southward, and agreeable to what I aſſert for the better information of the reader, I refer him to N°. 1. of the ſituation and views in the late engagement near Touloun, of his Majeſty's fleet and thoſe of France and Spain.

Third part of the charge.

Third Part of Admiral Mathews's charge againſt Mr. Leſtock.

This part of the charge againſt Mr. Leſtock, according to the method I have followed for clearneſs, is compoſed of part of Mr. Mathews's fourth query, and the next part of his replies to that we have already anſwered, which have a connection with one another, and are as follow.

Admiral Mathews's charge againſt Mr. Leſtock.

Part of the fourth query.

Part third.

'Your reaſon for not endeavouring to cut off 'the four ſternmoſt ſhips of the enemy, and for 'not making the ſignal for any of your diviſion 'to perform that ſervice; eſpecially as you had 'clean ſhips in your diviſion;

Part of the Admiral's replies.

'Query, why did you not ſet your ſtudding 'ſails, and order the ſailing ſhips of your diviſion to mak ſail, and engage the four ſternmoſt 'ſhips of the enemy, particularly the Elizabeth, 'Buckingham, and Revenge? And why did you 'ſuffer any of your diviſion to ſhorten ſail? You 'ſay, that the Cambridge and Dunkirk would have

'made

'made more ſail, and engaged the four ſternmoſt 'ſhips; and that you fired a ſhot at the Dun-'kirk, and made her commander's ſignal, but '* all to no purpoſe; †(for that he ſtill kept to 'windward of you, as did the Cambridge alſo?) 'And why did you not ſend your Lieutenant to 'command thoſe two ſhips, when you judged 'their commanders did not do their duty, and 'you muſt have ſeen that the ſervice ſuffer'd by 'their ill behaviour? Surely it would have been 'right to have done ſo, and I ſhould have 'thank'd you heartily for it; for in the ſituation 'I was I could not poſſibly ſee what was doing 'a-ſtern of me. You are pleaſed to ſay, that 'you fired a broadſide at the four ſternmoſt 'ſhips, and that the enemy returned it: I take 'it for granted, that you judged yourſelf with-'in gunſhot of them, elſe you would not have 'fired; though it ſeems all your ſhot fell ſhort 'of them.'

It was impoſſible for Mr. Leſtock to make more ſail than he did; and it cannot be denied that Lieutenant Jaſper came on board from the Admiral, and told him on the quarter-deck, that he was ſent to tell him that the Admiral would lay by, until his diviſion got up to cloſe with him. But upon Mr. Leſtock's obſerving that the Admiral inſtead of doing ſo, was rather making more ſail from him, Mr. Jaſper replied, that he ſaw the ſame ſoon after he put off from the Namur, yet however he thought it his duty not to return back on board before he had delivered the Admiral's meſſage.—And as an unqueſtionable proof that Mr. Leſtock had all his ſail abroad, when Lieutenant Knowler of the Namur, who

* The word (all) is not in Mr. Leſtock's anſwer.

† (nor) for that he ſtill kept to windward of you, as did the Cambridge alſo.

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ſoon followed Mr. Jaſper, told him on the Neptune's quarter-deck, that he was come from the Admiral, to deſire him to make more ſail.—— He bid him look aloft, and ſee whether it was in his power to make more ſail, every thing being then abroad. And, having obſerved, that according to the line of battle, the Royal Philip, the Spaniſh Admiral, muſt be the ſhip he took up, Mr. Knowler anſwered, that the Admiral had told him ſo.——Theſe words of Mr. Knowler's induced Mr. Leſtock the more ſtedfaſtly to believe, that the Admiral's deſign was to engage the enemy, agreeable to the ſignal for the line of battle then flying. And as a clear circumſtance he expected no other than to engage the Royal Philip, having obſerved ſix ſhips of the enemy a-ſtern of her, and the ſternmoſt ſhip much the largeſt, which he took to be the Iſabella of eighty guns, and having but only four ſhips in the line of battle a-ſtern of him, viz. the Ruſſel, Buckingham, Elizabeth, and Revenge, in order to make himſelf more upon an equality with the enemy, he ordered the three fifty gun ſhips that were under his direction to do what they could. The Romney to fall in between the Elizabeth and Buckingham, and the Nonſuch and Oxford to aſſiſt the Revenge, being his ſternmoſt ſhip. Whatever contemptible notions others might have of the enemy, nothing appeared but order and diſcipline throughout their fleet; and from their readineſs, their behaviour and manner of acting from the beginning, giving us battle ſeemed to be their real intention; and ſurely it cannot be doubted but that they came out for that very purpoſe. They were well formed, and ſo far from the appearance of runaways (which would be ridiculous, as well as falſe to ſay) they continued their courſe to the ſouthward, endeavouring

vouring to gain the wind of us.——They ſaw Mr. Mathews make the ſignal for battle, when we were in confuſion and unformed, at leaſt, by the Admiral's own aſſertion, Mr. Leſtock's diviſion a great diſtance from the center, which proceeded from his great hurry and impatience, contrary to the meſſages ſent to Mr. Leſtock. In ſhort, our ſhips were wide extended and ſtraggled, yet ſtill bearing down in a dangerous ſecurity upon them, whereby it ſoon became impracticable for us to keep the wind of the enemy, conſidering the foulneſs of our ſhips, and at the ſame time to have room to form in good order before action, unleſs we had immediately haled our wind to gain time for that purpoſe. From every circumſtance it appears, that the enemy's deſign was either to draw us on to fight at a diſadvantage upon unequal terms, or that of gaining the wind of us, to have uſed their fireſhips more effectually upon us than we did ours upon them.—If Mr. Leſtock miſbehaved the night before in bringing to, as he is not accuſed till between ten and eleven o'clock next forenoon, and then for not repeating the ſignal for battle, as he made all the ſail he could in the morning, it is evident the Admiral's own conduct made the diſtance between the center and rear ſtill greater and more dangerous. Is Mr. Leſtock to anſwer for his raſhneſs then? God forbid; could his former ſuppoſed neglect at night, empower Mr. Mathews in the morning to act ſo inconſiderately, ſo oppoſite to policy, and the art of war, the nation's ſafety and glory?

Mr. Mathews, eager as he may be to condemn Mr. Leſtock's conduct, will not, I believe, ſay, that he could have taken upon him to make any alteration in the line of battle, as by ſignal abroad, before the time he bore down upon the Royal

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Philip, when he neither knew nor ſaw that he intended to attack the Spaniſh ſquadron; which, according to the line of battle, ſhould have fallen to Mr. Leſtock's ſhare, as well as what Lieutenant Knowler had told him, with regard to his engaging the Spaniſh Admiral. If he could not then before half an hour paſt one, the time the Admiral bore down upon the enemy, order the clean ſhips of his diviſion; viz. the Buckingham, Elizabeth, and Revenge, to go a-head of him, in order to cut off the four ſternmoſt ſhips of the enemy, where there were ſhips enough already poſted by the line of battle, more than ſufficient to cope with all the Spaniſh ſquadron, it was to no purpoſe Mr. Leſtock's ordering them after the action began; for even had he been inconſiderate enough to undertake what he could not anſwer, to direct theſe ſhips going a-head of him, in breach of the Admiral's order, which by ſignal was conſpicuouſly flying, it was impracticable for them to obey and execute this order, conſidering their diſtance a-ſtern of him, the little wind, and the greatneſs of the ſwell, which was ſo large, that the lower deck ports could not be kept open.

And in ſupport of this truth, it will appear by ſhips logs, that all the forenoon, till juſt before the engagement began, the ſhips in Mr. Leſtock's diviſion went between three and four knots every hour; but from half paſt one to five, no leſs than three hours and a half, the wind having declined ſo much, and the ſwell being ſo very high, that they did not in all that time go above four miles and half: What will ſerve to corroborate this truth, and enforce it to the conviction of the world, beyond the leaſt doubt and contradiction, is the little diſtance we gained in our afternoon's ſail upon the Marlborough, which ſhip

was all that time in action, loſt her maſts, and could not be ſuppoſed to go any thing a-head. And as a farther proof, the Ruſſel, always eſteemed a good ſailing ſhip, not above eight months from being clean'd, had every ſail ſet, but could not, before the fireſhip blew up, get up to cloſe with Mr. Leſtock.—— Let the reader weigh well theſe circumſtances, and judge the poſſibility of theſe three ſhips, ſtation'd a-ſtern of the Ruſſel in the line of battle, getting a-head of Mr. Leſtock, to execute what his commanding officer expected of him, contrary to the ſignal abroad, becauſe he failed, and was inglorioufly diſcomfited. There were five ſhips of the line of battle a-ſtern of Mr. Leſtock all the afternoon, as the Torbay, with all her endeavours, and ſail abroad, could not get into her ſtation a-head of the Neptune. I muſt obſerve then, as the ſtrongeſt proof of what I aſſert, one ſhip with another of theſe five were at leaſt half a mile from each other, when the engagement began. According to this calculation, the ſternmoſt ſhip, the Revenge, muſt have been two miles and a half a-ſtern of Mr. Leſtock, the Elizabeth two miles, and the Buckingham one and a half: was it poſſible then for the Buckingham to gain of Mr. Leſtock, in little more than four miles ſailing, a mile and a half, the Elizabeth two miles, and the Revenge two and a half, though theſe diſtances gained of him, would have only made them a-breaſt of him, who could not reach the ſternmoſt ſhip of the Spaniſh ſquadron?

The ſtudding ſails of the Neptune were kept abroad as long as they really did any ſervice; and the occaſion of their being haled down was the Torbay being a-ſtern of her, out of her ſtation; which ſhip, with all the ſail ſhe could crowd, could never get into it: and as the Neptune was remarkable

remarkable for pitching exceſſively in a ſwell, which Mr. Leſtock had fatally experienced in the loſs of her maſts in her paſſage from England, had they been ſet again, without regarding the Torbay, they could have been of no other ſervice than to have ſilenced the malice and detraction of this charge; and by their flapping to and fro the maſt would have been endangered; as Mr. Leſtock can prove that, upon this account alone, he had ſeveral applications made to him by the officers, before they were haled down.———Neither are theſe troubleſome ſails altogether ſo proper to engage with; the old practice having been to furl the mainſail, to prevent firing the ſhip.

It did not appear to Mr. Leſtock that the ſhips of his diviſion a-ſtern of him ſhortened ſail; and where he could not ſo well diſtinguiſh himſelf, his officers on whom he could depend frequently informed him of this truth. It is evident, that the Torbay and Ruſſel continued all their ſail abroad, and if the other three ſhips, viz. the Buckingham, Elizabeth and Revenge, did ſhorten ſail at times, to keep in the order of battle, according to the line, contrary to his obſervation and his officers (as they might poſſibly, without their ſeeing them, as we were in the line of battle, conſequently the Torbay and Ruſſel right a-ſtern of the Neptune, an obſtruction to their ſight) yet nevertheleſs Mr. Leſtock had no authority to alter Mr. Mathews's diſpoſition. The twenty-fourth article of the fighting inſtructions injoins every ſhip to keep her ſtation; and that, nor no other, impowers an inferior flag officer to direct any breach of it, upon any pretence whatſoever; while the commanding Admiral keeps abroad the ſignal for the line, and does not make the ſignal for that flag officer and his diviſion to give chace to the enemy. Had Mr. Leſtock done this againſt

the rules of prudence and diſcipline (the twenty-firſt and twenty-fourth articles of the fighting inſtructions) without authority, or regarding his own ſafety, under a man who has proved ſo ready and eager to condemn him, the reaſons and circumſtances I have already mentioned make it clear and obvious that it could have anſwered no other purpoſe than falling into confuſion by ſeparating from the center his diviſion to leeward, without the poſſibility of coming near enough, even to the ſternmoſt ſhip of the enemy, to do any real ſervice, had ſhe or they kept afore the wind: had Mr. Leſtock chaſed ſo unthinkingly with his diviſion, and in the mean time the French had made a proper uſe of his indiſcretion, by coming upon Mr. Mathews and Rear-admiral Rowley, when he could not have got to windward again, who would not have blamed him? I am ſure Mr. Mathews himſelf would not have thought his conduct juſtifiable to have done this without a ſignal: he indeed would have been glad of ſuch an opportunity and ſo fair a ſubject to have impeached his conduct, and veil'd over his own; this would have been catching him in an egregious ſnare; it would have been erring with his eyes open; and then indeed with great juſtice and propriety, Mr. Mathews might have retorted upon him (as he has done in the ſucceeding part of his replies, yet unanſwered) that had he judged proper for him to have acted in this manner, there was a proper ſignal to be made for that ſervice by the commanding officer, and agreeable to which the twenty-ſeventh of the fighting inſtructions is very explicit, viz.

Any particular flag ſhip, with his ſquadron or diviſion to chaſe.

Twenty-ſeventh.

'If the Admiral would have any particular flag ſhip and his ſquadron or diviſion give chace

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'to the enemy, he will make the ſame ſignal that 'is appointed for that flag ſhip's tacking with his 'ſquadron or diviſion, and weathering the ene-'my.'

The ſhips of Mr. Leſtock's diviſion a-head of him were the Cambridge and Dunkirk, both which ſhips could have made more ſail, but they kept to windward of him, particularly the Dunkirk; and though there was but very little wind with a great ſwell, yet as they ſailed well, it was his opinion, that they (with the ſhips, viz. Dorſetſhire, Eſſex, Royal Oak, and Rupert, a-ſtern of the Marlborough, that were throwing their ſhot away at a great diſtance, while ſhe was torn to pieces by the Spaniſh Admiral's ſecond, a-ſtern of him) might have ſtopt thoſe four ſhips of the enemy, until Mr. Leſtock and his diviſion got up, therefore he fired a ſhot to windward of the Dunkirk and Cambridge, and at the ſame time made the Captain of the Dunkirk's ſignal, but to no purpoſe.

The Cambridge was not ſo far to windward of him, as the Dunkirk, therefore the captain's ſignal was not made; and at that time he apprehended the firing a ſhot to windward of them, would be a ſufficient check to both captains, eſpecially to ſo old an officer as captain Drummond is, being near thirty three years a commiſſion officer. But it has been alledged and pleaded in defence of thoſe two ſhips, though they were to windward of Mr. Leſtock, yet they were in the line with the ſhips a-head of them; and in the firſt article of the fighting inſtructions the Admiral himſelf has added a manuſcript addition, viz. 'And every 'ſhip is to obſerve the ſame diſtance thoſe ſhips 'do which are next the Admiral, always taking 'it from the center.' As to ſending Lieutenants to command the Dunkirk and Cambridge,

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the ſhortneſs of time between the ſhot's being fired, and Mr. Mathews's making the ſignal to leave off chace, and haling down the ſignal for the line of battle, as alſo the ſignal to engage the enemy, would not (had there been much greater neceſſity to do it) admit of ſuch a proceeding.

Though Mr. Mathews ſays in this part of the charge againſt Mr. Leſtock, that his ſituation was ſuch, that he could not poſſibly ſee, what was doing a-ſtern of him, as if he had been in the heat of battle all the time, I ſhall in anſwer to another part of the charge where he aſſerts the ſame, prove the contrary, when this will come more properly under our conſideration.

Mr. Leſtock kept bearing down, until he found he ſhould not be more able to get into the wake of the ſternmoſt ſhip of the enemy. Farther, to divert her from getting up to the protection of the Spaniſh Admiral, as the only remedy left him to bring on an engagement, at the diſtance he was off, he fired a broadſide; ſhe returned it, ſheer'd farther from him, and made more ſail. — He did his utmoſt to cut off thoſe four ſternmoſt ſhips of the enemy, it was impoſſible for him to do more to hinder them from getting a-head to the aſſiſtance of the Real, or firing at the fire-ſhip, that was about this time ſent down upon the Spaniſh Admiral; neither did all his ſhot fall ſhort of the ſternmoſt ſhip, but ſhe directly bore away, and made more ſail, which was what he could not do.

In ſupport of what I have affirmed, when Mr. Leſtock fired at this ſhip, ſhe was before his beam, her top-gallant ſails loward, mizen top-ſail a-back, only under her main and fore top-ſails, her coarſes being halled up, and yet ſhe ſtole very faſt a-head of him, though there was very little wind, with ſo great a weſtern ſwell, that it was all

all that the ſhip had ſteerage way, and that ſhe could keep her ports open to fire her lower tier—And that after returning the fire ſhe hoiſted her top-gallant ſails, filled her mizen top-ſail, let fall her fore-ſail and bore away from Mr. Leſtock though he kept edging down after her, till he found he ſhould only be able to fetch into her wake: If ſhe went a-head of him, only under her top-ſails, mizen top-ſail a-back, and top-gallant-ſails lowered, it muſt be allowed that ſhe went much faſter when ſhe made more ſail.

There cannot be plainer proofs, or ſtronger circumſtances, and I have advanced nothing where evidence and conviction are wanting.——

The fourth part of the charge that I ſhall proceed to defend, is the remainder of the Admiral's fourth query, with part of his replies, viz.

Latter part of the fourth query.

Fourth part. of Mr. Mathews againſt Mr. Leſtock.

'And alſo your reaſon for ſhortning ſail, and 'altering your courſe by haling upon a wind.'

Part of the replies.

'You are likewiſe pleaſed to give me for an-'ſwer to the laſt part of my fourth and laſt query, 'viz. that you left off purſuing the enemy, and 'clap'd upon a wind in order to protect the 'Rear-admiral; and Sir, I muſt confeſs, that I 'am not a little ſurprized at the reaſon you are 'pleaſed to give me, for breaking the line of 'battle, and quitting the enemy, ſo near you as 'thoſe four ſhips were by your own confeſſion. 'Had I judged Rear-admiral Rowley in ſo great 'danger, as you ſeem to inſinuate him to have 'been in, there is a proper ſignal to be made for 'that ſervice by the commanding officer. I 'muſt take leave to affirm, that had you not 'clapped upon a wind with your whole diviſion,

'by all the accounts I have received, you and 'your diviſion (though not all your ſail abroad) 'might, and muſt have engaged theſe ſtern-'moſt ſhips of the Spaniards in one quarter of an 'hour at leaſt, by which means the Real could 'not have eſcaped me, as I was within muſket-'ſhot of her, when all the ſternmoſt ſhips of the 'enemy came up and tore me to pieces: And I 'muſt add, that your neglect of that piece of 'ſervice was obvious and plain; and it is certain, 'that all the Captains in your diviſion, judged 'they were to follow you, notwithſtanding the 'ſignal for engaging the enemy was out. I muſt 'take leave to ſay, that if you had been pleaſed 'to have undeceived them on that head, it would 'have been doing, not only the duty of an of-'ficer, but likewiſe a friendly part to me.'

Fourth part of Mr. Leſtock's defence.

It is a matter of great wonder and ſurprize, that Mr. Mathews ſhould aſk, why Mr. Leſtock ſhortened ſail, and altered his courſe by haling upon a wind. —— While Mr. Leſtock was under Mr. Mathews in the Mediterranean, whatever was ſaid there, we may ſuppoſe he could not ſo well take the liberty to expoſe the weakneſs and folly of, even in his own defence; but now, ſince his arrival here, ſelf-preſervation, with the injuries and oppreſſions that he has ſuffered during his ſuſpenſion, make it a duty incumbent upon him to throw off the reſtraint and ceremony, therefore I cannot help ſaying, that I am aſtoniſhed to the greateſt degree, to find that Mr. Mathews ſhould deliver ſuch a query after mature deliberation, as part of his charge againſt Mr. Leſtock. Surely either he muſt have the moſt contemptible opinion of Mr. Leſtock's underſtanding and experience, to think him capable of letting ſuch anſwers paſs upon him unregarded, or he muſt have the lameſt and weakeſt cauſe

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that ever an inconſiderate man undertook to ſupport.

It is plain and evident, that Mr. Leſtock did not break the line of battle, nor quit the enemy; (that is what he never did, nor never would do;) it will appear that he never clap'd upon a wind, with his whole diviſion, or any part of it; neither did he ever ſhorten ſail, until Mr. Mathews called him off chace by hoiſting the white flag at the fore-top-maſt-head, and haling down the ſignals for engaging the enemy and the line of battle. Mr. Leſtock did not give him for an anſwer to the laſt part of his fourth and laſt query, that he left off purſuing the enemy, and clap'd upon a wind in order to protect the Rear-admiral. His anſwer upon this occaſion was in theſe words, That when he haled down the ſignal to engage, and made the ſignal to give over chace, Mr. Leſtock immediately ſhortened ſail; he haled his wind, Mr. Leſtock did the ſame, as it appeared to him to protect Rear-admiral Rowley and his diviſion, the van of the French fleet being then tack'd, and endeavouring to double upon him.——

Theſe words do not mean more, nor can they be wreſted or taken in any other ſenſe, than that in obedience to his order by ſignal then abroad, he was neceſſiated to comply with it; and that this ſignal was made by Mr. Mathews for the protection of the Rear-admiral.

Mr. Mathews carefully avoids making any reply to Mr. Leſtock's aſſerting, he made the ſignal to give over chace, not one word in anſwer to that, only aſſertions of what he never wrote, contrary to the true and plain meaning of Mr. Leſtock's anſwers to his queries that were firſt ſent to him; probably as he could not ſtand argument and reaſon, and even ſubterfuge and evaſion

failed him in this point, he thought he muſt ſay ſomething, however incoherent and wide from the ſubject, in order to gloſs over his reſolution of bringing all the blame upon Mr. Leſtock to ſave himſelf.—No matter what it was if it was aſſerted with aſſurance, and that air which the command and power he had over Mr. Leſtock's naturally gave him. But, with ſubmiſſion to his abilities, ſilence upon this ſubject is a ſtrong circumſtance for Leſtock, a conſciouſneſs, and indeed a tacit confeſſion that he made the ſignal to give over chace, Elſe in his replies, he would have certainly denied the doing it; and as he writes untruths againſt Mr. Leſtock with all the zeal and appearance of certainty, he would, if poſſible, in this important particular, have rather exceeded in his manner of affirmation, than paſſed over in ſilence, without denying, or making any reply to what Mr. Leſtock alledges in his anſwers to his queries, that he did not ſhorten ſail before he haled down the ſignal to engage the enemy, and hoiſted the ſignal to give over chace, &c. &c.

Mr. Mathews ſays, that 'Had he judged Rear-'admiral Rowley in ſo great danger as Mr. Le-'ſtock ſeems to inſinuate him to have been in, 'there is a proper ſignal to be made for that pur-'poſe by the commanding officer.'

As Mr. Mathews hoiſted the white flag at the fore-top-maſt-head, and haled down the red flag, as well as the ſignal for the line of battle, a more applicable ſignal could not have been made for that purpoſe. I am ſure there is not one in the fighting inſtructions, and as to other ſignals, the fleet had none of his appointment. But whatever he might mean, as his ways and aſſertions are incomprehenſible, yet it was Mr. Leſtock's duty to obey the ſignal he made, without regarding the ſituation of the Rear-admiral, or being

anſwerable

anſwerable for the rectitude and conſequences of this ſignal; and there could be no great impertinence or preſumption, in obſerving what many others did, that Mr. Mathews, from all circumſtances, made this ſignal for the Rear-admiral's ſhelter and deliverance.

The ninth article of the fighting inſtructions ſays, viz.

Ninth.

'When the Admiral would have the van of the fleet to tack firſt, he will put abroad the Union flag at the flag-ſtaff on the fore-top-maſt-head, and fire a gun, if the red flag be not abroad; but if the red flag be abroad, then the fore-topſails ſhall be lowered a little, and the Union flag ſhall be ſpread from the cap of the fore-top-maſt downwards; and every flag-ſhip in the fleet is to do the ſame.' Van of the fleet to tack firſt.

By which it may be obſerved, that our forefathers provided againſt haling down the ſignal for battle, and drawing the fleet off from it, when it might be neceſſary to continue the engagement, and for the van of the fleet to tack firſt; in that caſe the Union flag is to be ſpread under the red flag *. Agreeable then to this practice and reaſoning, if Mr. Mathews did not mean the white flag as a general ſignal for the whole fleet to give over chace, he would have certainly ſpread it under the red flag, without haling down the ſignal for the line of battle. And, above all, if he did not mean that Mr. Leſtock in particular, with his diviſion, ſhould have obeyed it, he would have given him authority, by directing otherwiſe.

* And in the 16th article of theſe inſtructions the ſame caution is alſo preſerved, in directing a yellow flag to be ſpread under the red, if it happens to be abroad when this ſignal is to be made.

However his wiſdom and policy may conſiſt in ſaying one thing and meaning another, there was nothing left for Mr. Leſtock, but regarding his utterance; eſpecially as the ſternmoſt ſhip of the enemy had gone before very faſt ahead of him; the difference having been ſo great between their ſailing, as I have already mentioned, that it was impoſſible for Mr. Leſtock to have come up with her.—

The diſpoſition of both fleets at this time, will ſerve to corroborate what has been ſaid in vindication of Mr. Leſtock, as the certainty and faithfulneſs of it will more and more appear, in the examination of every witneſs, whether ſummoned by Mr. Mathews or Mr. Leſtock.

Mr. Mathews, by bearing away to attack the Real, when Mr. Leſtock was a great way a ſtern of him, occaſioned all the ſhips, from the Princeſs Caroline, in the line of battle, to the Dunkirk and Cambridge in the Vice-admiral's diviſion, to fire at the Spaniards. To mention theſe ſhips as they fired, I will begin with the headmoſt ſhip, viz. Salisbury, Guernſey, Kingſton, Berwick, Bedford, Dragon, Somerſet, Princeſſa, Norfolk, Namur, Marlborough, Dorſetſhire, Eſſex, Rupert, and Royal-Oak. The headmoſt ſhip of the enemy, that was fired at by theſe ſhips, was the Poder, for any time, the eight ſhip from the ſternmoſt in the enemy's rear (being the Spaniſh ſquadron.)

As the four ſternmoſt ſhips of the enemy are laid to Mr. Leſtock's charge by Mr. Mathews, which four did not get a-head, before the ſignal to give over chace was made, and the fireſhip blew up; Hence it appears, there could be only five of the enemy to cope with the above-mentioned fifteen of our ſhips, from half an hour paſt one to five, no leſs than three hours and a half;

a half; out of which five it will be allowed, that the Real's ſecond did not ſtand it long, and that the Poder being diſmaſted, ſtruck. Neither can it be denied, that the ſituation of theſe fifteen ſhips againſt ſo few, were ſuch, that from the beginning to the end of the action they might have been ordered and directed to attack the Spaniſh ſquadron, in what manner Mr. Mathews thought proper, or ſhifted and diſpoſed of according to the condition of the enemy; the occurrences that happened, proceeding from the different circumſtances and diſpoſition of both fleets, more particularly when the Marlborough was ſo hard preſs'd upon; which ſhip, with ſubmiſſion to Mr. Mathews, was left to feel the conteſt of the day, *and was torn to pieces indeed*!

In the van Rear-admiral Rowley had only ſeven ſhips of the line, viz. the Sterling-caſtle, Warwick, Naſſau, Chicheſter, Boyne, Barfleur, and Caroline, againſt all the French ſquadron, ſixteen ſhips, and alſo the three headmoſt ſhips of the Spaniſh ſquadron, in all nineteen ſhips. Undoubtedly then our center attacking the enemy's rear in the manner they did, while the van (only ſeven ſail, not all the ſhips of Mr Rowley's diviſion) was left expoſed to nineteen ſhips, and our rear was a great way off, was like aiming at a victory in one place, while there was a certainty of a defeat in another. However thus weak the Rear-admiral was to cope with more than two thirds of the combined fleet, (and he thought himſelf obliged to comply with the ſignals abroad for the line of battle, and engaging the enemy, as there was no ſignal of direction to the contrary, as might have been expected upon this occaſion, conſidering his weakneſs) there were only three French ſhips engaged, all the reſt being intent upon gaining the weather-

gage,

gage, and that our three foremoſt ſhips, with the Chatham in the van, kept to windward, and did not engage, according to the example of their chief, the ſignals for engaging, and the line of battle; (though theſe may be orders that will not admit of diſobedience, as altogether oppoſite to diſcipline, and the baſis of the military trade yet happy it was that the Captains of theſe three ſhips ſaw into conſequences, and thought otherwiſe in this point; who, it ſeems, contrary to the Rear-admiral's conduct, thought themſelves more anſwerable for the rectitude of ſuch orders, than the execution of them) which diſobedience, with the little wind and ſwell, is ſaid to prevent the French from tacking ſo ſoon as they would have done; but when they did, our ſhips were forced to wear, and tack, juſt as the wind and ſwell would let them; The Rear-admiral making the ſignal for the ſhips in his diviſion to bear down into his wake, and running with all the precipitation he could from the enemy, on the contrary tack to the line of battle. ——

In this ſituation the French had it in their power, by their great ſuperiority, to deſtroy our van; but though they ranged within piſtol ſhot of four or five of them, where they could have raked them fore and aft, yet they did not fire one ſhot. —— To ſubdue our van, while their rear was vanquiſhed, was no incitement to them; the redemption of their rear in the deſperate condition they ſeemed to be in, was the important point in view, (and any interruption to that, let the bait be ever ſo alluring, was, it ſeems, not regarded, or put in competition with it.) —— Such was the true ſtate and condition of both fleets, for the truth of which, if any man is adventurous enough to deny it, I appeal to all the

eye witneſſes that were there, and are now here. In this confuſion, where there ſeemed to be neither diſcipline nor command, when the fire-ſhip had miſcarried, and the van were making all the haſt they could to join our center, with the French coming hard after them in great order, Mr. Mathews haled down the ſignal to engage the enemy, and the ſignal for the line of battle, and hoiſted the white flag at the fore-top-maſt-head, the ſignal to give over chace. And then the Vice-admiral ſhortned ſail.

To follow Mr. Mathews through his repetition, it muſt be obſerved that he is pleaſed to draw this inference, that by all accounts, had not Mr. Leſtock clapt upon a wind, with his whole diviſion, which he never did (until it was his duty ſo to do) that in a quarter of an hour at leaſt, he might and muſt have engaged theſe four ſternmoſt ſhips, by which means the Real eſcaped him; as Mr. Mathews haled down the ſignal to engage the enemy, and the ſignal for the line of battle, and made the ſignal to give over chace, before the four ſternmoſt ſhips got up *to tear him to pieces*; Hence it will appear manifeſt that he had no farther thoughts of accompliſhing the Real's defeat by taking her, otherwiſe he would not have made the ſignal to give over chace.——Beſides is, it is notorious that Mr. Mathews continued but a very little time in battle; having left the Marlbrough in the glorious conteſt, notwithſtanding all the loud echo's of popular outcry, noiſe and falſhood to the contrary — which have been unjuſtly levelled againſt Mr. Leſtock.

At half an hour paſt five Admiral Mathews made the ſignal for the line of battle, when there was very little wind with a great well, ſo that with the loſs of a good deal of

room,

room, it was all that the ſhips would wear; the Admiral himſelf wore, and formed the line of battle on the other tack (*viz.* the ſtarboard) leaving the Poder to be retook by the French ſquadron, with the Berwick's Lieutenant and twenty three of her men; ſo precipitate was his flight from the French, that there was not time to ſave theſe people. The Dorſetſhire, Eſſex, Rupert and Royal Oak wore when the Admiral did, which conſequently brought them nearer to theſe four ſternmoſt ſhips of the enemy in wearing as well as being on the contrary tack, and in paſſing by, they fired, as did the Admiral, Dorſetſhire, Eſſex, Rupert, Royal-Oak, Dunkirk and Cambridge upon this occaſion, which firing, the laſt of the action, (Mr. Mathews is pleaſed to ſay 'hindered the Real from falling into his 'hands, *and calls tearing him to pieces*,' although it is evident he had theſe ſix ſhips a-head of him, and the other ſhips of the center a-ſtern of him.)——

Mr. Mathews in the latter part of this part of the charge ſays, with full aſſurance, that Mr. Leſtock's neglect of the ſervice was obvious and plain; to which I ſhall reply, that nothing is ſo eaſy as general charges and aſſertions; nothing ſo true as the old maxim, Throw out calumnies with aſſurance, and ſome of them will find credit. But I am ſurprized that ſuch ſhould be inſerted in an accuſation and charge againſt Mr. Leſtock.

As Mr. Leſtock was from the beginning of the action rather to leeward with his diviſion, than to windward of the line of battle, therefore the Captains in his diviſion, notwithſtanding the ſignal for engaging the enemy was out, did their duty in following him, and not going a-head of him, if they poſſibly could have done it; for which reaſon I cannot poſſibly apprehend Mr. Mathews's

meaning

meaning, when he is pleaſed to ſay, 'That to 'have undeceived them, would have been doing, 'not only the duty of an officer, but likewiſe a 'friendly part to him.' Though by all circumſtances it may be imagined that Mr. Leſtock owes him no friendſhip, ſince he always received from him inſtances and proofs of enmity and malice, yet as his Majeſty's ſervice was the important point in queſtion, not Mr. Mathews's, nor private piques and animoſities, he muſt have been criminal, if he did not execute all that could be required and expected of him, or left any thing undone for the glory and ſafety of the nation, and the deſtruction of the enemy, that he had power to do.

The fifth part of the charge, divided in the manner I have hitherto purſued, is the remainder of Mr. Mathews's replies, viz.

The remainder of Mr. Mathews's replies to Mr. Leſtock's anſwers to his queries.

'To conclude, I muſt take leave to tell you, 'that I am greatly concerned to find you judg'd 'it was neceſſary for me to have dropt a boat a-'ſtern to order, not only thoſe ſhips of my divi-'ſion a-ſtern of me, but likewiſe thoſe of yours '(which are in the line of battle a-head of you) 'to do their duty. The ſituation I was in that 'time, did not permit me to ſee that ſuch orders 'were neceſſary; but why did you not do it, who 'was at leiſure, and tell me that ſuch orders were 'neceſſary? yet acted contradictory to your 'judgment, by firſt ſhortening ſail, and ſoon af-'ter clapping upon a wind: it therefore appears 'to me, that you was willing to aſſiſt me with 'your judgment in doing what was not in your 'power to do, viz. to go to the aſſiſtance of 'Rear-admiral Rowley; yet you would not aſſiſt

Fifth part of Mr. Mathews's charge againſt Mr. Leſtock.

'me when it was abſolutely in your power, viz. 'by ordering the ſhips in the rear of my diviſion 'to bear down upon the enemy, to prevent their 'getting up to the aſſiſtance of the Real, and all 'of them attacking the Namur. This, Sir, is 'under your hand; but what is more extraordi-'nary, you would not yourſelf do it, or order a-'ny of your diviſion, to do what you are pleaſed 'to tell me I ought to have done; and I take 'leave to affirm, that it was abſolutely in your 'power to have prevented the enemies ſhips get-'ting up to me, either by diſabling them, or 'obliging them to put afore it. In either of the 'two caſes the Real muſt have been burnt by the 'fireſhip (being when ſhe blew up within piſtol-'ſhot of her, and, as I am credibly informed, 'muſt have ſunk by the ſhot ſhe received from 'thoſe ſhips of the enemy, had ſhe not blown up) 'or have fallen into my hands, as I was at that 'inſtant of time within muſket-ſhot of her.

'Namur, Mahon harbour, Signed
'March 4, 1743. Thomas Mathews.

Fifth part of the anſwer.

Fifth part of the anſwer.

Mr. Mathews ſeems to be angry, and expreſſes great ſurprize, becauſe Mr. Leſtock took the liberty to conclude in his anſwers to his queries, that had he been pleaſed to have dropt a boat with his directions to thoſe ſhips between him and Mr. Leſtock, to have attacked the four mentioned ſhips of the enemy, they would have forced them a-ſtern for the rear coming up, and really we cannot think Mr. Leſtock has reaſon to repent what Mr. Matthews ſo triumphantly tells him he has under his hand, for had he done ſo, before he himſelf began the engagement, it could not have failed of anſwering the purpoſe. It would have been at leaſt a great aggravation of that man's crime,

who,

who, after ſuch a direction, neglected coming to the Marlbrough's aſſiſtance, and engaging the enemy in earneſt within gun-ſhot.

The duty then could not have been poſſibly miſtaken, which ſatisfaction alone cheers the heart of man, and may be ſaid to ſtrengthen his hands, when he is perfectly ſure that he cannot miſtake and fall into error; and what made it the more neceſſary in this point was, the rawneſs and inexperience of ſome of our officers, who never had been exerciſed together, and were ſtrangers to battle, if not altogether of naval diſcipline, particularly that of the line of battle.

The nineteenth article of the fighting inſtructions runs thus, viz.

Nineteenth.

How to engage the enemy, when the fleet has the wind of them.

'If the Admiral and his fleet have the wind 'of the enemy, and they have ſtretched them- 'ſelves in a line of battle, the van of the Ad- 'miral's fleet is to ſteer with the van of the 'enemies, and there to engage them.'

Perhaps this very article led them to ſtumble and falter, or kept them in a maze and conflict; for it is certain that the ſignal for the line of battle was kept abroad, when that diſcipline appeared to be all forgone by the Admiral bearing away to attack the rear of the enemy, whereby our van was left expoſed, while our rear was out of reach to ſuccour and ſupport the Center—Whereas, if this ſignal had been haled down; at the ſame time Mr. Rowley had been directed to keep his wind, beyond all doubt, every ſhip (particularly in the rear) would have been left at liberty to do her utmoſt, while our van would have run no riſque, but been perfectly ſecured; for in this caſe I cannot think keeping the ſignal out ſerved

any other purpoſe, than as a bugbar to intimidate our ſhips from going to leeward of the line of battle, if neceſſary, and running the hazard of puniſhment for breach of order and diſcipline.

It is plain, notwithſtanding Mr. Mathews's aſſertions to the contrary, that as he left the Marlbrough long before ſhe loſt her maſts, he was in a ſituation to diſtinguiſh what was doing a-ſtern of him; nay it it is ſo univerſally known, that he ſent boats on board of the Ann Galley fire-ſhip, the Dorſetſhire and Eſſex, that ſurely he will not offer to diſpute this truth. Therefore, as theſe ſhips kept far to windward with the Rupert and Royal-Oak, as it cannot be denied that they were not far enough a-head from the beginning of the action, to attack the Spaniſh Admiral, or any of his ſhips a-ſtern of him, he had it abſolutely in his power to correct and reform any abuſes from their ſcandalouſly trifling and throwing away their ſhot, or ordered them to a cloſe engagement with the enemy. He could ſee full well, and it was his buſineſs to look after the backward, timid, or ſlow; he had left the battle, and he was at leiſure; he alone who held the power in his hands was in this particular the ſole judge, the only perſon who could authorize and indemnify: Advantages loſt through his diffidence or raſhneſs, and that of others, do not concern Mr. Leſtock, who had learned under him in a more ſingular manner than ever, that paſſive obedience was his only and ultimate duty, and to ſubmit every other to him the Commander in chief.

Beſides, he could not make the Neptune go faſter a-head; a boat from him at the diſtance he was from theſe ſhips, was ſtriving at what was out of his reach; for there is a wide difference between dropping a boat a-ſtern, and

ſending

ſending a boat a-head to ſhips at ſuch diſtances off, that were all under ſail. Neither could he take upon him to direct the Admiral's diviſion, that was much nearer the Commander in chief, than the Vice-admiral, who durſt not preſume, and had no latitude to go beyond orders. Farther, had it been neceſſary for the ſhips to have gone to leeward of the line with him, eſpecially as he had made a manuſcript addition to the firſt article of the fighting inſtructions; Mr. Leſtock that was bound to the order himſelf, as much as any Captain, could not authorize and empower others to break it.

Moſt of this part of Mr. Mathews's charge againſt Mr. Leſtock has been already anſwered, and proved to be inconſiſtent. I cannot think to what purpoſe Mr. Mathews ſays, 'That Mr. Le-'ſtock aſſiſted him with his judgment, in doing 'what was not in his power to do, viz. to go to 'the aſſiſtance of Rear-admiral Rowley, yet 'would not aſſiſt him, when it was abſolutely 'in his power.' The ſhorteſt and moſt reaſonable reply, (though it is a repetition, which his frequent repetitions force) that can be made to this, is, that as Mr. Mathews judged proper to make the ſignal to give over chace, it was certainly Mr. Leſtock's duty to obey, eſpecially when he could do no ſervice, nor poſſibly get within gun-ſhot of the ſternmoſt ſhip of the enemy. It is ſufficient without dwelling longer upon this ſubject, to enter into a diſpute, whether Mr. Leſtock really ſaw into the true deſign of Mr. Mathews's making this ſignal, that it was made, and that he had learned to obey it, no matter whether Mr. Leſtock had penetration and judgment enough to ſee into the deſign and neceſſity of the order he executed. But when Mr. Mathews ſaw him repeat this ſignal, and do as he did,

his

his commanding officer, if he did wrong, why did not Mr. Mathews give him authority to act otherwiſe? ——

As to Mr. Leſtock's judgment, or opinion, he had a proof from him for two long years, that it was not worth a ſummons, and though he had the honour to bear his Majeſty's flag, yet he was always, even in the day of battle, kept ignorant of his deſigns, more than many private Captains— Nevertheleſs he always aſſiſted him to the utmoſt of his power, as an inferior flag-officer, more he durſt not do, and leſs his duty reſtrained him from; but if Mr. Mathews deprived himſelf of his aſſiſtance by his great impatience and miſconduct in never ſuffering him to cloſe with him, nor did not give him more authority by proper ſignals, he is no ways anſwerable.

Nothing is more unjuſt, than for Mr. Mathews to affirm that it was in Mr. Leſtock's power, to prevent the four ſhips of the enemies getting a-head, either by diſabling them, or obliging them to put a-fore the wind, unleſs he had, inſtead of making the ſignal to give over chace, made the ſignal for him and his diviſion to give chace, between two and three when they were not ſo much a-head of him; and then though Mr. Leſtock could not have come up to diſable them, yet he might have certainly kept two or three of the ſternmoſt a-fore it, and himſelf and diviſion been juſtified for breaking the line of battle, and the 21ſt article of the fighting inſtructions, that none of the ſhips in the fleet ſhall purſue any ſmall number of the enemies ſhips *&c.* As by that means Mr. Leſtock would have been ſeparated from him, far to leeward, and not been in the way at eight at night, when he ſent the Lieutenant of the Ruſſel with orders to him to

to keep near the Ruſſel, on board of which ſhip he had ſhifted his flag. ———

The conſequence of this raſhneſs without authority, as things afterwards fell out, would have brought the confederate fleet between him, and the rear of our fleet; and it would have been impoſſible for Mr. Leſtock to have ſuſtained ſo heavy a charge, againſt diſcipline and order, when it was obvious and plain that his duty was to do his utmoſt to cloſe with the center, in obedience to the ſignal for the line, which the Admiral kept abroad. ———

It will appear that the ſhot of theſe ſhips did not reach the fire-ſhip; the two ſternmoſt ſhips did not fire one ſhot at her, ſo that in fact they were no hinderance to the Real's being burnt, nor any to her falling into Mr. Mathews's hands, becauſe he had left the Real, and made the ſignal to give over chace before they came near enough to attack him, or reach the fire-ſhip; and when they did fire upon him, it was when he had formed the line on the ſtarboard-tack, after leaving the Poder with the Berwick's Lieutenant and men on board of her, to be retaken by the French, by which means in wearing with ſo little wind, and ſo great a ſwell, and then being on the oppoſite tack to one another, in courſe he neared theſe ſhips, and ſeveral broadſides were exchanged as they paſt one another, but ſoon after all firing ceaſed. And ſuppoſing the fire-ſhip's ill ſucceſs, (as it did not) proceeded from theſe ſhips firing at her, yet Mr. Leſtock is not at all anſwerable, unleſs it could be proved againſt him that he ſhortened ſail before ſhe miſcarried, and the Admiral made the ſignal to give over chace. It appears that her cataſtrophe, with our van running to join our center on the contrary tack to the line of battle from the

French,

French, who were hard after them, occaſioned, in all probability, this ſignal being made: therefore as Mr. Leſtock was not within reach of the ſternmoſt ſhip, and all his endeavours for that purpoſe proved fruitleſs, the blame muſt light where it ſhould in juſtice, upon thoſe, who had it in their power, and neglected this ſervice. But to conclude, nothing is more evident than that the true cauſe of the fire-ſhip's miſcarriage proceeded from not taking ſuch effectual meaſures, as are agreeable to practice, and the conception of this duty in all it's conſequences, otherwiſe attempts of this kind are not feaſible, but dangerous and deſperate, and defeated with leſs difficulty than can be imagined. The Captain had no orders to prime his ſhip, conſequently was not ready at the time he was ordered down; for it will be readily allowed, that a fire-ſhip cannot well be primed in leſs than an hour and a half, and to be directed upon ſervice before he had authority to get ready for it, is enough to confound a man: hurry to diſpatch, fear of diſpleaſing, concern to feel what he never had felt in all his ſervice, reproofs and menaces, eagerneſs and precipitation to execute, all help, upon ſuch an occaſion, to excite a guſt of paſſions, with which the conflict muſt be violent, and the ſucceſs uncertain. He poor man, (inhumanly treated as his memory has been) was forced to go down, priming all the way thither, and it is evident he had not the leaſt aſſiſtance; for ſo ſevere was his neceſſity, that he was obliged to ſend his boat away with his people, which did not return before the unhappy blaſt. It will appear that he was neither covered nor conducted, hard meaſure; on the contrary, had the Dorſetſhire, Eſſex, Rupert, or Royal-Oak, been ſent down with him, being the ſhips the moſt ready at hand for this

this ſervice, as indeed it was in vain to expect ſucceſs without, they could have run no manner of riſque; but in the condition the Real was in, raked her fore and aft, and protected the fire-ſhip, until ſhe had been burnt, and executed her purpoſe, as well as ſtopt the four ſternmoſt ſhips from getting a head, *whereby the Admiral was ſo much torn to pieces, and loſt ſo many men.*

But as it was, ſhe ſeemed rather to be ſent down to be ſacrificed, elſe why were theſe ſhips ſuffered to keep to windward to look on, where danger and the neceſſity of their country's cauſe called them?

Although the Real's diſtreſs was ſuch that ſhe herſelf could not bring many guns to bear on her, yet ſhe kept an inceſſant volley of ſmall arms firing at her, and when ſhe came within piſtol ſhot the Real brought ſix or ſeven of her guns of the lower tier to bear, and aimed them ſo ſure, that every one of them took place, beſides two guns that were fired afterwards; ſo that at this rate ſhe muſt have ſunk before ſhe could have burnt the Real, had ſhe not been blown up, either by ſome unlucky accident, or deſpair—— What is more, it is very well known, that a great launch full of men was ſent to take or hinder her from boarding the Real, which otherwiſe muſt have happened.

What ſucceſs then could be poſſibly expected from an attempt of this kind, when it is viſible it was not guarded with one neceſſary precaution? In that imminent danger, where the Real kept pouring in ſmall ſhot, firing her great guns, and the launch almoſt on board of the fire-ſhip, where the Captain was unaided, uncovered, and unprotected, neceſſitated in his defence to fire blunderbuſſes to keep the launch off, and at laſt reduced to the fatal neceſſity of venturing to fire the

guns in the waſte, by which means, with many matches unwarily placed, hatches unlaid, ſkuttles open, funnels uncapt and running down unprepared, and primed with a great deal of looſe powder, the fire-ſhip miſcarried, and in this manner do I account for her misfortune. After ſhe blew up the launch endeavoured to take the yawl, with the fire-ſhip's people that were ſaved, but the barge returning then very opportunely, took her in tow, and delivered her from that danger.

The ſixth and laſt part of this feaſible, unconnected, and ſuſtainable charge, is an additional article joined to the queries and replies, by Mr. Mathews ſince his arrival in England: thus ſeeking for matter like a ſinking man who would lay hold of any twig to ſave himſelf. This part of the charge is contained in an extract of a letter from him, dated the 17th of November, 1744, which with the queries and replies were ſent to Mr. Leſtock the 20th following, and as containing the whole charge was ſigned by Mr. Corbett.

An extract of Admiral Mathews's Letter to Mr. Secretery Corbett, dated the 17th of November, 1744, an additional article annexed to the queries and replies, viz.

Sixth and laſt part of Mr. Mathews's charge againſt Mr. Leſtock.

'The charges againſt the late Vice-admiral Le-
'ſtock's conduct are contained in the queries, and
'my reply to thoſe queries I ſent their Lord-
'ſhips; to which I have now only to add, that
'he was guilty of a moſt ſcandalous breach of
'truſt, by ſending his own Captain (Captain Step-
'ney) to Captain Purvis, at that time under con-
'finement, in order to be tried at a court martial,
'on his own accuſation for miſbehaviour in the
'time of ſervice, as appears in the ſaid Vice-ad-
'miral Leſtock's reply, &c. with inſtructions to
'the ſaid Captain Purvis, how to conduct him-

'ſelf at the court martial, and with aſſurances 'that he would do him no harm.'

Undoubtedly with good reaſon Mr. Leſtock might have refuſed anſwering to this additional article, as what could not poſſibly with any degree of juſtice be reckoned part of the charge againſt him; ſince it is without the tenour of the order of ſuſpenſion, and his Majeſty's pleaſure ſignified to the Lords Commiſſioners of the Admiralty, to bring him to a trial for his conduct in the late action againſt the combined fleets of France and Spain, in the Mediterranean. He was ſuſpended for his ſuppos'd miſconduct in the action, and the King's order to try him was for that only, and nothing that happened afterwards. However Mr. Leſtock ſubmitted to it, arming himſelf with his own innocence, and thereby preventing the detraction and calumny of his adverſaries, who upon this occaſion would have made the moſt cruel and uncharitable conſtructions: ſo ſevere it is to lye under the laſh of popular clamour and tumult, whether juſtly or unjuſtly.

The falſhood and malignity of this aſperſion will be proved by Captain Stepney himſelf, who will declare he never had any ſuch authority or inſtructions from him; and notwithſtanding this article is called a ſcandalous breach of truſt, it will appear by the candid confeſſion of the perſon who owns himſelf to be ſo far guilty as to ſend to Captain Purvis (though not by Captain Stepney, but by another, who is alſo ready to declare he carried the meſſage, and delivered it) to plead in his defence a manuſcript addition to the firſt article of the fighting inſtructions, made and ſigned by the Commander in chief, conſequently in full force, though perhaps too unguardedly added, as it helped no doubt to acquit Captain Purvis: both perſons will be produced, the perſon who ſent to

Captain Purvis upon this occaſion, and the other who delivered the meſſage.——But indeed, ſo far from eſteeming this a breach of integrity, or an act of injuſtice, I cannot help thinking that humanity and common honeſty teach us this candour and charity to our fellow-creatures in ſuch circumſtances, and what would have become the Judges of the court martial, even the Preſident himſelf (if he was not ignorant of his own order) to mention it, had it's notice eſcaped the priſoner's obſervation Otherwiſe by the ſame parity of reaſon it may be deemed juſtice to condemn a dumb man, whoſe innocence is known to his Judge, becauſe he cannot ſpeak to claim the Judge's teſtimony; and it is thus made a ſcandalous breach of truſt for the Judge to ſpeak the truth in his behalf: ſuch courts would be courts of tyranny, not of juſtice: from ſuch principles of juſtice, and ſo open a violation of the rights and privileges of mankind, heaven preſerve every judge, and baniſh all ſuch acts of tyranny and inhumanity.

I will recapitulate the ſix different parts of this charge and the anſwer thereto. ———

'The firſt part of the charge is that of bring-
'ing to five miles to windward of Mr. Mathews.'
Nothing can be more abſurd than for Mr. Mathews to aſk Mr. Leſtock whether he could ſee a day-ſignal, when he himſelf found it to be ſo dark as to make a night-ſignal to bring to, and ſuppoſes Mr. Leſtock to be five miles to windward of him. —

Vid. Log-book. The impoſſibility of his being ſo great a diſtance, appears from the ſmall airs of wind and great ſwell in that afternoon's ſail, being only three hours from being becalmed, and laying to. ——— And admitting him to be really that diſtance from Mr. Mathews when he brought to, as he has not queſtioned Mr. Leſtock's conduct

duct before that time, in this he frankly acknowledges himſelf raſh and inconſiderate enough to leave behind him ſo great a part of his ſtrength, as Mr. Leſtock's diviſion to go down ſo near the enemy in diſorder, contrary to the ſignal for the line of battle, at the ſame time that it cannot be denied that the enemy were perfectly well formed.

As Mr. Leſtock ſaw him make the night-ſignal for bringing to, and repeated it, he cannot ſay, he could not ſee Mr. Leſtock; why then in an affair of this importance where ſo much depended, would Mr. Mathews ſuffer him to do wrong in dividing himſelf from the center? The qualification of an officer to diſpoſe of the Fleet in a proper order of battle is a ſtrong circumſtance againſt this charge, and a recrimination upon his own conduct, brought by himſelf. ——

Had there been a night-ſignal appointed for the line of battle, and kept abroad, it would have been a certain guide in the dark, and a ſure direction for this order and diſcipline, in caſe of a ſhift of wind, current, or indraught. On the contrary the very tenour of the night-ſignal he made, is a ſufficient inſtruction for Mr. Leſtock's bringing to, even had he been a greater diſtance from him than he alledges, as the windwardmoſt ſhips, by the words of that article, are directed to bring to firſt. But ſo far from bringing to at that diſtance, he brought to in the line of battle with Mr. Mathews, within three miles of the enemy, ſo near that they edged from him, and that he could not go nearer, without breaking the line and engaging the enemy. ——

At day break Mr. Leſtock ſeeing his diſtance, he made ſail before the Admiral made the ſignal, and was near being abreaſt of him by that time he made ſail, tho' their diviſions were not cloſed toge-

together. —— The real cauſe of the difference in his diſtance between night and morning, I account for in the ſhift of wind, and the eddy or the indraught of the iſlands, while Mr. Mathews was in the offing in the power of the current. ——

The Admiral's making the ſignal in the morning for he that commands in the 3d poſt to make more ſail, before he did for he that commands in the 2d, with what Lieutenant Knowler ſaid to Mr. Leſtock, are an inconteſtible proof that he was nearer to him than the Rear-admiral. And inſtead of laying by for Mr. Leſtock, agreeable to the meſſage which Lieutenant Jaſper brought him, he made more ſail, by which he neared the Rear-admiral, and occaſioned through his impatience and unfixt reſolution, the great diſtance he charges Mr. Leſtock withal. ——

It is notorious that the center made too much ſail to let either of the wings form into a line of battle, according to the ſignal; and as the Rear-admiral's diſtance was greater than the Vice-admiral's from him, I may with great juſtice obſerve that Mr. Mathews was blind and partial to his faults, while he proved to be a ſevere and malicious cenſurer of Mr. Leſtock's actions, however regular. ——

The recapitulation of the ſecond part of the Charge and Anſwer.

The ſecond part of the charge, ' is for not re-' peating the ſignal to engage the enemy, &c.'

There is nothing charged againſt Mr. Leſtock, between bringing to at half paſt ſix at night, and half paſt ten next morning, when he confeſſes he not only ſaw the Admiral make the ſignal to engage, but he forbid his firſt Lieutenant repeating it: This leſſon the article itſelf taught him, and the

the general battles that he had been in.——— It has been urged, that the Rear-admiral repeated this ſignal, and the Captains of his diviſion expected it of him; as if an error in an inferior flag-officer's judgment was to have weighed with him contrary to diſcipline and ſervice, or he was anſwerable for the folly and ignorance of any Captain.———

Strange effects! in the van, where this ſignal was repeated, the Captains did not regard it, nor would not obey it; becauſe they thought themſelves wiſer than Mr. Mathews and the Rear-admiral—— and in the rear it has been pretended, that Mr. Leſtock's repeating it, would have authoriſed the Captains to have broke the article itſelf, the line of battle, with the 21ſt and 24th articles of the fighting inſtructions. This was Mr. Mathews's reaſoning and diſcipline in the Mediterranean, while Mr. Leſtock was under his command: thank heaven his cauſe was ſo lame, that he had no better to plead againſt him, and that it now ſtands the teſt of better Judges.

It is manifeſt that Mr. Mathews had ſeen and read this article, by the addition he made to it; and if he thought ſo much depended on the repetition of this ſignal, as the pen was in his hand, he ſhould have gone on, and given Mr. Leſtock authority, as in the other articles, where repeating is thought neceſſary and ordered.—— But alas! this charge, weak and trifling as it is, was urged againſt him for want of real matter; and this is the more certain, as Mr. Mathews did not, after he ſent Mr. Leſtock home, order this ſignal to be repeated.

This is the firſt time that ever a ſignal was made to engage an enemy, before the fleet was ready for it; every officer of experience and judgment have acted contrary to this new precedent, which ſerves

ſerves to ſhew our impatience, in not giving time for the fleet to form, while the enemy kept in the greateſt order and diſcipline.

The recapitulation of the third part of the Charge and Anſwer.

The third part of the charge is, ‘ for not endeavouring to cut off the four ſternmoſt ſhips ‘ of the enemy, and for not making the ſignal ‘ for any of his diviſion to perform that ſervice, ‘ &c. &c.

Lieutenant Jaſper came on board, and told Mr. Leſtock the Admiral would lay by for him, until he came up to cloſe with him; but inſtead of that the Admiral made more ſail from him. Lieutenant Knowler ſoon followed him, and told Mr. Leſtock the Admiral would have him make more ſail; upon which Mr. Leſtock bid him look aloft, and ſee whether it was in his power, every thing being abroad: and upon his ſaying, that his aim was at the Real, he ſaid that the Admiral had told him ſo.

And as a clear circumſtance that Mr. Leſtock thought no otherwiſe than to engage according to the line of battle, having only four ſhips of the line in his diviſion a-ſtern of him, and the Real ſix, in order to make himſelf more upon an equality, he ſtationed the three fifty-gun ſhips of his diviſion, to aſſiſt his ſternmoſt ſhips.—— And at this very time, a Lieutenant of one of theſe ſhips obſerved, that as the Real went very faſt a-head of Mr. Leſtock, he would not be able to get up with her.

The fleet bore down with the ſignal flying for battle in great diſorder, whereby it ſoon became impracticable for us to keep the wind of the enemy, conſidering the foulneſs of our ſhips, and have room to form in good order before action; unleſs we had immediately haled our wind for

that

that purpoſe, which would have brought the Real upon Mr. Leſtock's beam.— From all circumſtances it appears, that the enemy's deſign was either to draw us on to fight at a diſadvantage, upon unequal terms, or that of gaining the wind of us, to have uſed their fire-ſhips more effectually upon us, than we did ours upon them.——— If Mr. Leſtock miſbehaved the night before in bringing to, though I have made it appear otherwiſe, Mr. Mathews's own conduct made the diſtance between them ſtill greater and more dangerous. Is Mr. Leſtock then to anſwer for his raſhneſs? Could his former ſuppoſed neglect at night, impower him in the morning to act ſo inconſiderately, ſo oppoſite to policy and the rules of war, the nation's ſafety and glory?

Mr. Mathews will not take upon him to ſay before the action began, that Mr. Leſtock had power to order the clean ſhips in his diviſion to go ahead of him, where there were already more ſhips poſted in the line than ſufficient to deſtroy the whole Spaniſh ſquadron; and afterwards had he done what he could not have anſwered, it was impracticable, for there was ſo little wind and ſo great a ſwell, that the whole diſtance by the log in the afternoon's ſail was only four miles. And ſuppoſing each ſhip when the action began was half a mile from each other, as there were five ſhips a-ſtern of him with the Torbay, the diſtance of the ſternmoſt ſhip from him muſt be two miles and a half: is it poſſible then to think that the Revenge could have gained two and a half, the Elizabeth two, and the Buckingham one mile and a half in the diſtance of four miles run; and their diſtances gained would have made them only a-breaſt of Mr. Leſtock, where he could not reach the ſternmoſt ſhip of the enemy.

And as a farther proof, the Ruſſel, a good ſailing ſhip, not above eight months from being cleaned, with all her ſail ſet, could not get up with the Neptune before the ſignal was made to give over chace; her ſtudding ſails were kept abroad even after the Torbay dropt a-ſtern of her out of her ſtation, when it was Mr. Leſtock's duty to hale them down: their continual ſhifting in ſo little wind made them of little ſervice, and their flapping to and fro endangered the maſts in ſo pitching a ſhip as the Neptune was; beſides, theſe are troubleſome ſails to engage with; the old practice having been to furl the main ſail to prevent firing the ſhip.

If any of the ſhips in Mr. Leſtock's diviſion, contrary to his obſervation and his officers, ſhortened ſail at times to keep in the order of battle, according to the ſignal abroad, he had no authority to alter the Admiral's diſpoſition, unleſs in room of ſhips diſabled. The 24th article of the fighting inſtructons injoins every ſhip to keep her ſtation, and that, nor no other empowered him, to direct any breach of it upon any pretence whatever.

And had he done this unthinkingly without orders, it could have anſwered no other purpoſe than to ſeparate his diviſion to leeward from the fleet, when Mr. Mathews would have certainly brought him to anſwer with great juſtice and propriety for chacing with his diviſion without a ſignal agreeable to the 27th article of the fighting inſtructions, which was abſolutely neceſſary to have juſtified him for breaking the line, not endeavouring to engage according to the order the Admiral had preſcribed, purſuing a ſmall number of the enemies ſhips, before the main body was diſabled, or run, and leaving his ſtation upon any pretences, which injunctions enforce his

his obedience, as the 1ſt, 13th, 21ſt and 24th articles of the fighting inſtructions ſufficiently bear witneſs.

It cannot be doubted, that if the ſhips a-ſtern of the Marlborough in the line of battle had bore down according to their duty, being ſix ſhips, they would have effectually forced the four ſternmoſt ſhips a-ſtern for the Vice-admiral's coming up: on the contrary, they were ſuffered to throw away their ſhot out of reach, while the Marlborough bore all the brunt of the battle.

The Dunkirk's ſignal was made, and a ſhot fired to windward of her and the Cambridge, as a check and direction for both Captains: and as to Mr. Leſtock's ſending his Lieutenants to command their ſhips, the ſhortneſs of the time between the ſhot's being fired, and the ſignal to give over chace, (had there been a greater neceſſity) would not admit of ſuch a proceeding—— Neither had he any authority to force theſe two ſhips down to leeward, between the Admiral's diviſion and the enemy, conſidering the manuſcript addition made by Mr. Mathews to the firſt article of the fighting inſtructions.

When Mr. Leſtock fired at the ſternmoſt ſhip, few of his ſhot reached, though he was nearer than ever he had been, which ſhip was before his beam, with her top-gallant ſails lowered, mizen-top-ſail a-back, only under her main and fore-top-ſails, and yet ſhe ſtole very faſt a-head of him, though there was very little wind, and ſo great a ſouthern ſwell, that it was all that he had ſteerage way, and that he could keep his ports open to fire his lower tier of guns.——And that after returning the fire ſhe hoiſted her top-gallant ſails, filled her mizen-top-ſail, let fall her fore-ſail, and bore away from Mr. Leſtock, though he kept edging down after her, till he found he ſhould

only be able to fetch into her wake. If ſhe went a-head of him only under her top-ſails, mizen-top ſail a-back, and top-gallant ſails lowered, it muſt be allowed that ſhe went much faſter when ſhe made more ſail.

The recapitulation of the fourth part of the Charge and Anſwer.

The fourth part of Mr. Leſtock's charge, is for ſhortening ſail, and clapping upon a wind.

He never broke the line of battle, nor quitted the enemy, nor ſhortened ſail, nor clapped upon a wind, until Mr. Mathews did ſo himſelf, after making the ſignal to give over chace, and haling down the ſignals for engaging, and the line of battle——And this proof is ſupported by numberleſs circumſtances.

As Mr. Mathews does not ſay he did not make the ſignal to give over chace in his reply to Mr. Leſtock's anſwers to his queries, where he had aſſerted he had made this ſignal: this ſilence upon a ſubject ſo homely preſſed upon him, is a ſtrong circumſtance for Mr. Leſtock. It is a tacit confeſſion, elſe ſurely, he would not only have denied his aſſertion, but done it with ſome warmth and earneſtneſs upon ſo particular an occaſion.

This ſignal was the only applicable one in the book of inſtructions for the protection of the Rear-admiral, and collecting the fleet out of the confuſion they were in, into a proper diſpoſition of battle, in defence of any attack from the French, who were now almoſt at hand, and bearing down to deliver the Spaniſh Admiral.——And if Mr. Mathews had not intended this ſignal as a general one, he would have ſpread the white flag under the red, agreeable to practice, and the fighting inſtructions, and not haled it down with the ſignal

for

for the line of battle.——Beſides, by continuing the chace, Mr. Leſtock could not have reached the ſternmoſt ſhip.——Every conſideration enforced his obedience, the fireſhip's miſcarriage, the Rear-admiral's danger, who was making ſignals for his diviſion to bear down into his wake, and coming on the contrary tack to the line of battle, with the French cloſe after him. What was left for Mr. Leſtock to do but to obey, what would he have deſerved had he acted contrary to the ſignal?

The ſternmoſt ſhips did not get up, nor had not fired at the Namur, before the ſignal was made to leave off chace, when Mr. Leſtock had not ſhortened ſail, conſequently to ſay that theſe ſhips hindered the Real's falling into Mr. Mathews's hands is falſe and unjuſt. On the contrary it is certain his flight was ſo precipitate for fear of the French, that he with his diviſion formed the line of battle on the other tack (ſtarboard) leaving the Poder and the Berwick's Lieutenant and men to be taken by the French, and wearing in ſo little wind, brought him near theſe four ſternmoſt ſhips of the enemy, where he had ſix ſhips a-head of him, and the reſt of his diviſion a-ſtern, with the Rear-admiral and his diviſion; and as it cannot be alledged that more ſhips of the enemy fired than theſe four ſhips, they only exchanged ſome broadſides, as they paſſed one another, being on the contrary tack.

The recapitulation of the fifth part of the Charge and Anſwer.

The fifth part of the charge. ‘ The ſituation ‘ I was in did not permit me to ſee it was neceſſa- ‘ ry for me to have dropt a boat a-ſtern to order ‘ the ſhips between you and me to do their duty,

'but why did not you do it, who was at leiſure, 'and tell me that ſuch orders were neceſſary? &c. '&c.'

Had a boat been dropt with ſuch orders, the ſhips a-ſtern of the Marlborough muſt have certainly followed her, and engaged the enemy in earneſt within gun-ſhot. On the contrary, ſhe was left alone to fight it out herſelf.——Here was the fault, here lay the neglect; for if the Admiral had not thought himſelf powerful enough with ſo great a ſuperiority, he would have had the prudence and patience to have forborn engaging, until Mr. Leſtock had come up, and been ready at hand to ſuccour and ſupport him.—And had orders been ſent in this expreſs manner, who durſt have diſobeyed them?——Whereas the 19th article of the fighting inſtructions perhaps led theſe ſhips to ſtumble and falter, and the ſignal for the line of battle being kept abroad (when that diſcipline was forgone, by the Admiral bearing away to attack the enemy's rear, whereby our van was left expoſed to 19 ſhips of the enemy, while our rear was left a great way a-ſtern out of reach) did not leave every ſhip at liberty to do her utmoſt, but kept them in a perfect maze and conflict, and intimidated them from going to leeward of the line, if neceſſary, and running the hazard of puniſhment for breach of order and diſcipline.

As Mr. Mathews ſoon left the Marlborough in the glorious conteſt, he was in a ſituation of ſeeing what paſs'd a-ſtern of him.——He was the only perſon that could authoriſe and indemnify; he was at leiſure as much as any man; it was his duty, it was his buſineſs to look out, as he could the moſt effectually reform the ſcandalous trifling, and tame looking on of the ſhips of his diviſion, in whoſe power it was to have gone down upon the enemy: and he cannot deny that he ſent boats

boats on board of the Dorſetſhire, Eſſex, and Ann Galley fireſhip: his diviſion was near him; Mr. Leſtock was bound himſelf, and had no authority over theſe ſhips. Beſides, there is a wide difference between dropping a boat a-ſtern, and ſending one a-head to ſhips at ſuch diſtances off, as they were from him.

When Mr. Mathews ſaw him repeat the ſignal to give over chace, had he done wrong, he would have immediately corrected the miſtake, and given Mr. Leſtock authority to have acted otherwiſe. —His judgment was held in great diſeſteem by Mr. Mathews; private Captains had the preference, and by his impatience and miſconduct, it is notorious he deprived himſelf of Mr. Leſtock's aſſiſtance, and did not give him power to act any otherwiſe than he did.

Had Mr. Mathews made the ſignal for his diviſion to give chace between two and three, when the ſternmoſt ſhips of the enemy were not ſo much a-head of him, he might have forced two or three of them afore the wind; but then as things afterwards fell out, the confederate fleet would have been between him and Mr. Leſtock, and the latter would not have been in the way to have received his orders to keep cloſe to him all night.

The ſhot of the ſhips that fired at the fireſhip, did not reach her; however if they did, Mr. Leſtock is not accountable, as he did not ſhorten ſail before the ſignal was made to leave off chace, which was not done before her miſcarriage—— Neither did their ſhips get up to fire at the Admiral, till he had formed the line on the other tack, and was paſſing by them, leaving the Poder &c. as before mentioned.

The true cauſe of the fire-ſhip's miſcarriage, proceeded from her not being ordered to prime in time, to be ready for ſervice, and afterwards

not

not being covered by the Dorſetſhire, Eſſex, Rupert, and Royal-Oak, ſhips ready at hand for this important ſervice—And had they been ordered down, the Real would have been not only burnt, but the ſhips a-ſtern of her would have been hindered from getting a-head to *tear Mr. Mathews to pieces.*

The great guns and the inceſſant volley of ſmall-arms that were fired at the fire-ſhip by the Real; the great launch full of men that was ſent to hinder her from boarding; the Captain's diſtreſs, unaſſiſted, and uncovered, nay even without his boat; the fatal neceſſity he was under of firing of blunderbuſſes, and his waſte guns to keep the launch off, prove that there was not one neceſſary precaution taken to ſecure the ſucceſs of this attempt; every thing being left to the fire-ſhip alone: Strange conduct! ſtrange infatuation!

F I N I S.

Vice-Admal *Leſtock*'s

RECAPITULATION,

As ſpoke by him

At the Bar of the Honble Houſe of COMMONS,
on *Tueſday* the 9th of *April*, 1745.

CONTAINING,

His REMARKS on the Evidence that have been examined, relating to the late Miſcarriage of his Majeſty's Fleet off *Toulon*, againſt the combined Fleets of *France* and *Spain*. Wherein he points out the true Cauſe of this Miſcarriage; ſupporting the Whole by quoting Admiral *Mathews*'s Account, which was publiſh'd by Authority, &c.

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[Price Six-Pence.]

Vice-Admiral *Leſtock*'s

RECAPITULATION,

As ſpoke by him

At the Bar of the Honble Houſe of Commons,
on *Tueſday* the 9th of *April*, 1745.

I THINK it a Duty incumbent upon me to thank this Honourable Committee for their great Candour and Patience thoughout this Enquiry; and alſo for the particular Indulgence in allowing me a Chair at the Bar. I ſhall always retain the moſt grateful Senſe of the Favours and Honour I have received, ſuch as will never be effaced out of my Memory.

I flatter myſelf I appear in a more favourable Light to this Honourable Committee than when firſt this Enquiry was opened; but it has been my great Misfortune that my Evidences were not arrived, to remove every Doubt or Suſpicion of my Conduct that may be yet remaining, tho' I applied for their being ſent for Home ſo ſoon as I had procured his Majeſty's Order for bringing me to a Trial, which was the 20th of laſt *Auguſt*, now almoſt eight Months ago. Thoſe that have been examined are only ſuch as Chance have ſent in my Way: It is therefore a great Concern to me that all my Witneſſes were not here to juſtify every Part of my Conduct, and render my Innocence more conſpicuous, as my Reputation as an Officer, my All is at Stake, in the Applauſe or Cenſure of this Honourable Houſe.

It is with humble Submiſſion that I mention, notwithſtanding the great Indulgence I have received from the Honourable Committee, that I have laboured under greater Diſadvantages, in the Courſe of this Examination, than the Gentleman whoſe Authority laid the preſent Suſpenſion on me. Had I been permitted to have croſs-examined the Witneſſes, I flatter myſelf that from their Evidence I ſhould have gathered ſufficient Matter to invalidate their Teſtimony, and what would have made greatly for me.

I beg

I beg the Indulgence of the Honourable Comittee to mention ſome Particulars.

Capt. *Marſh*, of the *Winchelſea*, gave it as his Opinion, that had I ſteer'd half a Point or a Point more to Leeward (as he ſaid I kept the Admiral always upon my Lee-Bow,) I ſhould have got up to engage the ſternmoſt Ships. I appeal to every Seaman in this Honourable Committee, whether it is poſſible for a Man four or five Miles a-head, and wide of a Ship, to judge ſhe ſteers within a Point, or half a Point of the Compaſs. I humbly apprehend as this was Capt. *Marſh*'s Situation with regard to me, it was impoſſible for him to have diſtinguiſh'd ſo nicely; and if it was ſcrupled at my ſeeing the *Poder* diſmaſted, as Capt. *Marſh* was very little ſhort of that Diſtance from me, it may be wondered at his ſeeing a Ship ſteer within half a Point.

Capt. *Long* (who no doubt was a better Judge than Mr. *Marſh*, from his Situation right aſtern of me) does not alledge any thing againſt my Steerage, but, if I remember, he ſpoke in my Favour in that Point.

And as it has been declared by ſeveral Witneſſes, that my ſtudding Sails were frequently ſhifted from

from one Side to the other, I appeal to the Seamen in this Honourable Committee, whether this is not a Proof to invalidate Capt. *Marſh*'s Evidence, as all the Ships a-head had the Wind on the Larboard Quarter.

Capt. *Long* alſo ſays, that he with all his Sail ſet could not get up with me, till I had hauled my Wind and ſhortned Sail, which he ſays I did at three o'Clock, but upon being aſk'd whether the *French* Squadron had then tack'd, he acknowledged they had.

If the Honourable Committee has not already obſerved in the Courſe of the Examination, that the *French* did not tack before the Fireſhip blew up, which was about five o'Clock; upon enquiry into this Particular, it will not be denied: It is a Truth univerſally known, for which Reaſon, I may well ſuppoſe Captain *Long* miſtaken, and that it is evident I neither ſhortened Sail nor clapp'd upon a Wind, until the Signal was made to give over Chace, which was made on that Occaſion.

Lieut. *Dorreil*, of the *Royal-Oak*, declared, that his Captain bore down, until he found that none of the Ships a-head of him would ſuccour him, and he was obliged to haul his Wind again from the Fire of three Ships of the Enemy, having received a Shot in the Head of his Main-Maſt. As

there

there were but 6 Ships a-ſtern of the *Real*, theſe 3 with her Second employ'd againſt the *Marlborough*, made four, ſo there were only two left at this rate for my Diviſion; and the Honourable Committee will be pleaſed to obſerve, there was a great Diſtance between our Diviſions, and that the *Cambridge* and *Dunkirk* were poſted in the Line of Battle a-head of me.

Mr. *Mathews*, eager as he may be to condemn me, will not I believe ſay that I could have taken upon me to have broke the Line of Battle, and bore down before the time he bore down upon the *Real*, when I neither knew nor ſaw that he intended to attack the *Spaniſh* Squadron, which, according to the Line of Battle, and the Rules of War, ſhould have fallen to my ſhare, as well as what Lieutenant *Knowles* had told me with regard to my engaging the *Spaniſh* Admiral.—But had he ſent me a Meſſage to have gone after theſe Ships, or made the Signal for me and my Diviſion to give Chace in the Morning, before the ſternmoſt Ships of the Enemy were ſo much a head of me, though I cou'd not have got up to Engage, yet poſſibly I might have kept two or three of the ſternmoſt afore the Wind, and I ſhould have been juſtify'd for breaking the Line, and not endeavouring to engage according to the Order of the Battle, purſuing a ſmall Number of the Enemies Ships before the main Body was diſabled, or run,

and

and leaving my Station on any Pretence, which Injunctions enforce Obedience, as the 1*ſt*, 13*th*, 21*ſt*, and 24*th* Articles of the Fighting Inſtructions ſufficiently bear me Witneſs.

By bearing away more than I did, would have ſeparated me to Leeward from the Center, and I ſhou'd not have been in the way at eight at Night, when Admiral *Mathews* ſent me Orders by the Lieutenant of the *Ruſſel*, to keep near him; having ſhifted his Flag from the *Namur* on board of that Ship.

The Conſequences of this Raſhneſs without Authority, as Things afterwards fell out, wou'd have brought the Confederate Fleet between him and me, and it would have been impoſſible for me to have ſuſtain'd ſo heavy a Charge againſt Diſcipline and Order, when it was ſo obvious and plain that my Duty was to do my utmoſt to cloſe with the Center, in Obedience to the Meſſage ſent to me, and the Signal for the Line which was kept abroad.

In the Forenoon we went at the Rate of three Miles an Hour; but when the Action began, the Wind had declin'd ſo much, and the Swell was ſo very high, that we had but juſt Steerage-way: And what ſerves to corroborate this Truth is, the little Diſtance we gain'd in the Afternoon's Sail upon the *Marlborough*; which Ship was all that time in Action, loſt her Maſts, and could not be ſuppoſed to go

go any thing a-head. And as a farther Proof, the *Ruſſel*, my Second a-ſtern, always eſteem'd a good ſailing Ship, not above eight Months from being clean'd, had every Sail ſet, but could not, according to her Captain's Declaration, get up to cloſe with me before I ſhorten'd Sail, which was at Five, inſtead of Three (as he imagined) ſince he acknowledg'd that the *French* had then tackt.

Captain *Paulet* has ſaid I reef'd my Top-Sails, but one of his own People has contradicted him.

I have produced five Witneſſes who heard the Meſſages from Mr. *Mathews* deliver'd by his Lieutenant to me on the *Neptune*'s Quarter Deck; they are poſitive I never ſhorten'd Sail, nor did I Reef that Day. They kept the Deck, one of them was quarter'd in the Main-Top, and it was impoſſible for me to have Reef'd without their Knowledge. Beſides, if the Honourable Commíttee will be pleaſed to conſider the Improbability of my Reefing between Nine and Ten having juſt before received Admiral *Mathews*'s Order, to make more Sail, it is not likely that I ſhould act in open Defiance of my commanding Officer's Order: To what Purpoſe ſhould I do this? It could ſerve no other End than giving him an Opportunity to deſtroy me. There was no Wind to occaſion this Caution, for we did not go more than three Miles an Hour with all the Appearance of fine Weather. Poſſibly, as

Admiral *Mathews* himſelf, being in a good ſailing Ship, did Reef, as did the *Marlborough*, the Gentlemen a-ſtern have been thereby led into this Miſtake.

I appeal to every Seaman whether it was poſſible for me to Reef Topſails with Studding Sails and Top-gallant-ſails abroad, and my Topſail Yards ſlung: And if the Honourable Committee had not been perfectly ſatisfied with Regard to my Innocence in this Point, I had more Witneſſes in Waiting laſt Examination Day ready to declare that I never ſhorten'd Sail, nor Reef'd my Topſails. Beſides, had I done this, ſurely Mr. *Mathews* would not have ſuffered ſo notorious a Breach of his Orders to eſcape him in his Charge againſt me.

I think it neceſſary more fully to explain my bringing to, the Night before the Action.

As ſoon as Mr. *Mathews* made the Night-Signal to bring to, the Line of Battle abreaſt was deſtroy'd by that Order, and the Signal for that Line ceas'd to be an Order to all Intents and Purpoſes. If I had been wiſer than Admiral *Mathews*, I could on no Pretence have refuſed my Obedience to an Order that I did ſee, to comply with one that had been in Force, and could not be ſo the Moment the Night-Signal was made.

When the Signal was made for the Fleet to bring to, I happen'd to be as far to the Weſtward, and in

a Line abreaſt with the Admiral; but had not that been the Caſe, it would have been my Duty to have brought to immediately, without conſidering any former Order, ſince it was impoſſible that both Orders could be complied with, becauſe two different Situations were requir'd by theſe two Orders.

It is uſual for Ships to ſet the Admiral when there is any Probability of loſing Company; but in all my Practice I never knew it to be done every Hour when lying to; and for what I aſſert on this Subject I appeal to all the Logg-Books and Journals in the Fleet; beſides, a Ship may increaſe her Diſtance from another, yet not alter her Bearings. And farther, had my Sight been ſo nicely diſcerning as to have obſerved a gradual Drift of two or three Miles in eleven Hours in a dark Night, and I had taken upon me to have made more Sail, which was what I could not anſwer, as it was a Breach of the laſt Order receiv'd (the Night-Signal to bring to) yet I muſt have hoiſted my Boat out, and ſearch'd out every particular Ship of my Diviſion, to have order'd them to make Sail, as there is no Signal in the Sailing or Fighting Inſtructions, for a particular Diviſion to make Sail after lying by, nor for bringing to after making Sail.

It has been inſinuated that I held a Correſpondence with the Enemy, a Rumour that was never laid to my Charge by Admiral *Mathews*, however my Enemies may have propagated this Report for want of

ſufficient Matter againſt me. This is ſo ridiculous in itſelf, that I ſhall only ſay I was never on Shore, but once, while the Fleet lay at *Hieres*, and that was with the Leave of Admiral *Mathews*, to meet a *French* Officer, who had taken me a Priſoner in the late War, and treated me nobly; when Mr. *Rowley* and Mr. *Martin*, now Admirals, bore me Company all the Time we convers'd together.

I humbly hope that the Honourable Committee has obſerv'd the great Difficulty and Struggles there were to get ſome of the Evidence to anſwer to the Queſtions that were put to them, relating to Admiral *Mathews*'s Conduct, while, at the ſame Time, they made no Heſitation, but were ready to anſwer to every Thing that made againſt me: And this Method in giving their Evidence, was a Matter of ſo much Surprize to me, that I cannot help mentioning again, Captain *Marſh* ſeeing a Fault of mine, by judging within a Point of the Compaſs at four Miles diſtance, better than he could ſee what Admiral *Mathews* was doing, tho' he was poſted abreaſt of the Admiral in order to repeat his Signals. Neither can I let eſcape me, the indirect Practice of altering a Log-Book, on the falſe and frivolous Pretences that were urg'd; ſince by comparing the Captain's Journal, and Mate's, a Difference was prov'd.

Self-Preſervation, and in Support of the Narrative I deliver'd the firſt Day of the Enquiry, make it neceſſary for me to treſpaſs on the Time of this Honourable

rable Committee, by pointing out the true Cauſes of this fatal Miſcarriage, in which if I palliate, deceive, or miſrepreſent, may I ſuffer greater Evils than I have already, the Cenſure of this Houſe, to confirm the popular Clamour and Fury againſt me.

It has not been ſaid by any one Evidence that has been examined, that we were in Order of Battle, when Admiral *Mathews* bore down, and attack'd the *Spaniſh* Admiral. But it has been urged, in order to palliate ſo notorious a Breach of Diſcipline, that had not the Admiral engaged the *Spaniards* at the Time he did, the Enemy would have eſcaped, and we ſhould not have come to an Action at all. Nothing can be more unjuſt than this pretended Plea; ſince the Behaviour of the Enemy, and Method of acting, from the Beginning of their Appearance to the Time the Admiral attack'd them, prove, that giving us Battle was their real Intention: For had it not been ſo, as the next Day, after the *Winchelſea* made the Signal for their coming out, they had a ſtrong Weſterly Wind, and at Night our Fleet anchor'd in *Hieres Bay*, there was nothing to hinder them from paſſing to *Italy*, had they been bound there; and had they been bound down the *Straights*, next Day when the Eaſterly Wind prevail'd, they would have made Sail from us, and made the beſt Uſe of a fair Wind with clean Ships, inſtead of bringing to in Order of Battle.

The

The Subſtance of Admiral *Mathews*'s Account, which was publiſhed by Authority, and now lying before this Honourable Houſe, confirms what I advance, and to it I appeal; where it mentions, "our "Fleet anchor'd in the Bay at Night; next Morn- "ing, our getting under Sail, and the Enemy ſtand- "ing towards us with the Wind Weſterly; and "when it came to the Eaſtward, their bringing to "in a Line of Battle."

Hence it is undeniable, that they came out on Purpoſe to give us Battle; for where elſe could they be bound ſtretching to the Southward, and making more Sail, when the Admiral made the Signal to engage, while our Fleet was in Diſorder, but to gain the Weather-Gage? An Advantage which every good Officer will endeavour to obtain, and be cautious of loſing.

I have proved, by five Witneſſes, that Mr. *Knowler* acknowledged all my Sail to be abroad, when he delivered Admiral *Mathews*'s Meſſage to me; and alſo, as I proved by the ſame Witneſſes, that Lieutenant *Jaſper* told me, by Order of the Admiral, that he would lie by for me, which he did not do, but, on the contrary, made more Sail from me. I am not any ways anſwerable for the Diſtance between his Diviſion and mine: For had not he thought himſelf powerful enough with ſo great a Superiority as he

he had over the Enemy, he would have had the Prudence and Patience to have forborn engaging until I had got up, and been ready at Hand to ſuccour and ſupport him. As his Conduct alone made the Diſtance between the Center and Rear of our Fleet ſtill greater and more dangerous, it is not reaſonable I ſhould anſwer for his Raſhneſs; God forbid! Neither indeed could the Neglect he charges me with at Night, empower him in the Morning to act ſo oppoſite to Policy and the Art of War.

The Diſorder of the Van of our Fleet, and the Danger it was in from its Weakneſs, only ſeven Ships againſt nineteen of the Enemy, have appear'd at this Bar. And Mr. *Mathews*'s Account, publiſhed by Authority, confirms this, by ſaying, "that "there were but three *French* Ships engaged, the "reſt kept their Wind, in order to Tack and Wea-"ther us; but that our Van keeping the Wind of "them, prevented their Deſign's taking Place." And as it is notorious that Admiral *Mathews* did not direct the Van to keep the Wind, but keep the Signals for the Line, and engaging abroad, it appears that our Van was ſaved by Diſobedience, and that no Meaſures were taken by Mr. *Mathews* to ſecure it againſt more than two Thirds of the Confederate Fleet. It cannot be denied that the *Berwick*, the next Ship to the *Princeſs Caroline* in the Line of Battle, engaged the *Poder*, as her Lieutenant and Men became Priſoners, and ſhe is alſo ſaid

to

to have engaged that Ship by Mr. *Mathews*'s Account; by which it is evident by this Circumſtance alone, beſides the Evidences that have been examined, that all the Ships between her and the *Norfolk* in the Line of Battle, no leſs than eight Ships, *viz.* the *Somerſet*, *Princeſſa*, *Dragon*, *Bedford*, *Kingſton*, *Saliſbury*, and *Guernſey*, with the *Berwick*, were employ'd in firing at the *Poder*; that the *Norfolk* beat the *Conſtant* away out of the Enemy's Line; and that the *Marlborough* was left in Diſtreſs againſt the *Real* and her Second aſtern by the *Namur*, has not only been proved by Evidence at the Bar, but I appeal to Admiral *Mathews*'s Account, where he ſays, "that the *Marlborough*'s "driving a little too near him, obliged him to fill "his Sails, to prevent her coming on board of him; "and that having Occaſion to reeve new Braces, "with little Wind, and an ugly Swell, he could "not give the *Marlborough* the Aſſiſtance Captain "*Cornwall* wanted." And it cannot be doubted then, that had the *Dorſetſhire*, *Eſſex*, *Rupert*, and *Royal Oak*, bore equally down with the *Marlborough*, at the Beginning of the Action, the *Real* muſt have fallen into her Hands; as the *Spaniſh* Admiral's Second, the Ship that diſtreſs'd the *Marlborough*, and clear'd her Decks, would have been then match'd, if not over-power'd; and conſequently the ſternmoſt Ships, that were laid to my Charge, tho' they never got near enough to fire at the *Marlborough*, by this Means would have been ſtopt from getting a-head for me to have taken up.

Falſhood and Malice have aſpers'd me without Controul; but I now, with ſuch Evidence as have been examined, humbly ſubmit to the Honourable Committee, whether if the *Dorſetſhire*, *Eſſex*, *Rupert*, and *Royal-Oak* had done their Duty, the *Marlborough* had been ſo hard preſs'd upon; and whether the Cauſe that the *Real* and her Second did not fall into our Hands, and indeed the ſternmoſt Ships of the Enemy, was not owing to the Want of that Aſſiſtance which was ſo near at Hand, and not in any Manner to my Conduct?

It has been pretended, that Fire and Smoke obſtructed the Admiral's Sight; as if he had not left the *Marlborough*, or he had continued in Battle, and the Smoke had not gone to Leeward from him. On the contrary, his Stern lay towards the *Marlborough*, and it was impoſſible for him not to ſee how the Ships a-head and a-ſtern of him in the Line of Battle were employed. He had done with firing, his Perſon was not wounded, and what Smoke could there be to hinder him from diſtinguiſhing what was doing from the Van to the Rear of the Fleet? Neither can it be denied that the Situation of his Diviſion, and part of the Rear-Admiral's, was ſuch, againſt ſo few Ships of the Enemy, that from the beginning to the end of the Action they might have been ſhifted and diſpoſed of according to the Condition and Diſpoſition of both

Fleets; and it is ſo well known that he ſent Boats on board of the *Dorſetſhire*, *Eſſex*, and Fireſhip, that it cannot be diſputed. Nay Capt. *Cole*, of the Marines on board the *Dorſetſhire*, declar'd at the Bar, that an Officer came on board from the Admiral with Orders, tho' he could not ſay what they were; yet he ſaid the Captain with his Officers held a Conſultation upon receiving them, and their Reſult was not to go down nearer to the Enemy. Farther, I can prove that Lieut. *Bentley*, now a Captain, when he was ſent by Admiral *Mathews* to call me the third Day off Chace, told me he carried a Meſſage from the Admiral on board of the *Dorſetſhire*, and at the ſame Time called on board of the *Eſſex*. After ſuch Proofs, I ſubmit to this Honourable Committee, whether it can be ſaid, with the leaſt Shew of Reaſon, that Admiral *Mathews* had it not in his Power to correct and reform theſe Ships, trifling and throwing away their Shot, and whether with any degree of Juſtice Admiral *Mathews*, (as he does) can reckon the Conduct of theſe Ships part of his Charge againſt me.

It has appeared by the Boatſwain of the Fireſhip's Evidence, that the Fireſhip's Diſtreſs was ſuch, that her Captain, as he went under the *Dorſetſhire*'s Stern, hailed her, and deſired Aſſiſtance; yet nevertheleſs no Ships covered or conducted him.

At

At that Time there was neither Fire nor Smoke on either Side to hinder the Admiral from ſeeing that the *Dorſetſhire*, *Eſſex*, *Rupert*, and *Royal-Oak* kept to Windward, and looked on, where Duty and the Neceſſity of their Country's Cauſe call'd them; and yet after this notorious Neglect and Miſconduct, Admiral *Mathews* has charg'd me with the Miſcarriage of the Fireſhip. What is more, it is evident Mr. *Mathews* did not give Orders for the Fireſhip to prime before the Action, according to Practice, and the Nature of this Service, otherwiſe he would not have cenſur'd the deceas'd Captain, as he has done in his Account, by complaining of his Tediouſneſs in priming and coming down, but puniſh'd his Diſobedience; ſince ſuch Attempts entirely depend on Readineſs and ſudden Execution. For though a Ship may be ſo diſabled as to give a fair Opportunity for burning her, yet if the Fireſhip is not prim'd ready to catch the Occaſion when it offers, the Time ſhe will take to prime may very probably put the Enemy in ſuch a Condition as to defeat the Enterprize; for which Reaſon I took upon me, early in the Morning, to order the Captain of the Fireſhip in my Diviſion to prime before the Engagement.

It has been proved to the Honourable Committee, in the Courſe of the Examination, that our Van tack'd, and run from the *French* to join the

Center, after the Fireſhip had miſcarried; and what corroborates this is Admiral *Mathews*'s Account, where he ſays, "That notwithſtanding the *French* "tack'd upon Rear-Admiral *Rowley*, they did "not think proper to engage him; they however "retook the *Spaniſh* Ship, it being impoſſible to "do any thing with her, as ſhe had not a Maſt "ſtanding." And here I muſt beg Admiral *Mathews*'s Pardon; for the *Poder* had her Fore-Maſt, Bowſprit, and Mizen-Maſt ſtanding; but that he having wore in little Wind and a Swell, and formed the Line of Battle on the Starboard-tack, on purpoſe to get away from the *French*, who were juſt at hand, bearing down to deliver the *Spaniſh* Squadron, elſe why was the *Poder* left with the *Berwick*'s Lieutenant and People? In ſtanding from the Enemy, and leaving the Place of Battle, ſome ſhot were exchanged, as the Admiral with his Diviſion paſs'd by the four ſternmoſt Ships of the Enemy, which Mr. *Mathews* in his Charge againſt me calls engaging within Muſket-Shot; and alſo that this hinder'd the *Real* from falling into his Hands, and occaſion'd him to be torn to Pieces, altho' it is evident he had left the *Real*, and he had, beſides the Ships a-ſtern, ſix a-head, *viz.* the *Dorſetſhire*, *Eſſex*, *Rupert*, *Royal-Oak*, *Dunkirk*, and *Cambridge*, that fired on this Occaſion in paſſing, and only four Ships of the Enemy fir'd: And as an undoubted Proof of what I affirm, it has been proved, and not controverted, that the

Ad-

Admiral fir'd his Larboard Guns the contrary Side that he attack'd the *Real* with, conſequently that this was a forced Fire, in endeavouring to get away.

Next Day (after the Action) was ſpent in forming a Line of Battle, and going down upon the Enemy, who were going from us with their crippled Ships, and at Night we brought to in great Order, ſuffering the Enemy to eſcape: According to which Admiral *Mathews*'s Account ſays, " That at Break of Day " he ſaw the Enemy's Fleet to Leeward of them, " and found they had tow'd all the crippled Ships " before the Wind all Night. The Admiral chaſed " them; the *French* lying in a Line of Battle to " Windward of the *Spaniards*, moſt of them Hull " to; but as he drew near them, they made Sail, " and left the diſabled ſixty Gun Ship: That there " was great Reaſon to believe that if there had been " any Wind, the *French* would have left the *Spa-* " *niſh* crippled Ships, as moſt of them had ſuffer'd " greatly."

The Honourable Committee will be pleas'd to obſerve in this Account, all the Circumſtances and Appearances of a fugitive Enemy, diſabled, and encumber'd with crippled Ships, yet Adm. *Mathews* brought to, a great Way to Windward of the Enemy, in a fine Moon-light Night. If he imagin'd the Enemy capable of running from him before the Action, as has

has been pretended, in order to excuſe his engaging them contrary to the Line of Battle, he muſt be truly ſenſible that they would now more endeavour at it, as their only Reſource lay in the enſuing Night to get away with their lame Ships.

In the Night before the Action, "he brought to, "by his own Account, within a little more than "three Guns ſhot of them, and order'd the *Eſſex* "to lie a Mile to Leeward of him, and the *Win-* "*chelſea* a good Muſket-ſhot to Leeward of the "*Eſſex*, to watch their Motions, and to make their "proper Signals, and ſtand after them, in caſe they "ſhould make Sail; and that he was ſo near, that "he could count the Enemy's Ships, after the Moon "was down." Here the Honourable Committee will be pleas'd to obſerve, that all the neceſſary Precautions were taken, leſt the Enemy ſhould endeavour to eſcape us when we were not ſo much as form'd in Order of Battle, and they were lying by for us in good Order; but when we had gain'd the Advantage, of diſabling four of their Ships, and burning another, he became more cautious, and brought to, at a much greater Diſtance, in Order of Battle, without ſending Cruizers to obſerve their Motions. What could occaſion two ſuch extraordinary Extremes, as the leaſt Danger could not ariſe by going nearer at this Juncture, is impoſſible to ſay; but it is certain, they are oppoſite to the Rules of War and Prudence, eſpecially as it would have been eaſy

for

for us to have kept Sight of them all Night, by making more and more Sail, as they appear'd leſs and leſs perceptible.

It has been proved that we ſaw the Enemy next Morning, and that I made a Signal for ſeeing twenty Sail of them. Mr. *Mathews*'s Account alſo ſays, "that he ſaw the Enemy next Morning, but at a "great Diſtance. And further it ſays; that after "the Admiral loſt Sight of the Enemy's Fleet, he "found all his Endeavours to rejoin them, or pro-"cure Intelligence of them, ineffectual, they being "gone, as he ſuppoſed, down the *Straights*."

Here he acknowledges that he ſaw the Enemy (notwithſtanding his Captain at that Time, Captain *Long*, declared at the Bar, that they could not ſee them from the Maſt-head;) but Mr. *Mathews* does not ſay one Word in his Account, of calling me off Chace; having gained ſo much on the Enemy, as to make them from the Deck, with a Separation between the *Spaniſh* and *French* Squadrons. Not ſatisfied with the Signal for that Purpoſe, the *Winchelſea* was ſent with Orders for me to come into the Fleet; and if it was Weather for her Boat to come on board of me, ſurely it was ſuch as might have been employed in going after a fugitive diſabled Enemy, without injuring our Ships Maſts that were wounded.

Admiral

Admiral *Mathews* ſays in his Account, " that " the Day before there was great Reaſon to be- " lieve, that if there had been any Wind, the *French* " would have left the *Spaniſh* cripppled Ships, as " moſt of them ſuffered greatly." And now that there was Wind ſufficient to bring him up with the Enemy to gain theſe Ships, or force a general Engagement, he gives over Chace, paſſing over this Particular in his Account, or giving any Reaſon for ſuch extraordinary Conduct; at the ſame time pretending that he us'd all his Endeavours to rejoin the Enemy, or procure Intelligence of them, when it is notorious that he lay by all Day and next Night with an Eaſterly Wind.

Every Conſideration ſeem'd to enforce our Fleet purſuing the Enemy down the *Straights*, eſpecially as it was reported they expected Reinforcements from *Breſt*, and not one againſt it, even if it could have been Poſſible to have ſtrain'd our wounded Maſts by ſailing large: So great an Advantage and ſuch ſure Omens of Victory were worth running ſome riſque; and as the Enemy eſcaped by my being call'd off Chace, Mr. *Mathews*, who gave the Order, is alone anſwerable.

After that Queries, Anſwers, and Replies had paſt between us, on the 16*th* of *March*, above five Weeks after the Action, having ſent Mr. *Mathews* what is entitled my Rejoinder, a Paper of ſome Length and Reaſoning, without any farther Conſideration

ſideration he ſent me the Letter of Suſpenſion. I ſtruck my Flag the ſame Night, and the next Morning many Boats came on board of the Ship, enquiring whether I was not dead; and even ſome Captains aſk'd me the Cauſe of my being ſuſpended; ſo little did it appear to the Fleet that I had miſbehaved or deſerved this ſevere Cenſure.

However, notwithſtanding this publick Cenſure, his Majeſty's Governor of *Minorca* ſeem'd to eſteem me an injur'd Man, by ſaluting me with fifteen Guns, when I ſailed out of the Harbour, on board of the *Salisbury* for *England*; and this is what he never would have done, had he imagined I had ſacrificed his Majeſty's Service, and the Honour and Intereſt of my Country.

When Admiral *Mathews* arrived from *England*, I not only ſaluted him myſelf, but I ordered all the Ships in the Fleet to do it, and went in my Boat, out of the Port of *Villa Franca*, to meet him before he got in. Had he been of the Royal Blood, I could not have paid him more Reſpect, or Submiſſion; in return to which, immediately on ſeeing me, before Monſ. *Corbeau*, the Commandant of the County of *Nice*, and ſome Field-Officers in the King of *Sardinia*'s Service, as well as a great many Captains of the Fleet, who were then on board of him, without any regard to Decency or good Manners, my Rank, and Reputation as an

Officer, he began with reprimanding me, telling me he was ſurprized, that as I had been ſo long in his Majeſty's Service, I had not yet learn'd to comply with my Inſtructions in writing to him, and ſending a Frigate down to *Gibraltar* to him. I anſwered, that I had done both, and if he had not received my Letters, nor met with the Frigate, it was not my Fault.

I had the Satisfaction and Pleaſure to receive the King of *Sardinia*'s Thanks, as alſo his Majeſty's entire Approbation of my Conduct by a Letter from the Duke of *Newcaſtle*; yet it was too difficult a Taſk for me to pleaſe Mr. *Mathews*.

He began his Command over me in this Manner, and ſuperſeded all the Officers that I had made, even my own Secretary, and thoſe that had been appointed before he ſail'd from *England*, and had come within the Juriſdiction of his Command.

This, I humbly apprehend, he had no more Power to do, than to ſuperſede the Officers that Mr. *Haddock* had appointed; ſince I had the King's Authority to command the Fleet.

Not to treſpaſs any longer on the Time of the Honourable Committee, having been thus arraign'd and condemn'd by Admiral *Mathews*, deprived of Commanding in Chief the Fleet, and my Share of the Prize-Money, I was ſent home, as a Delinquent, in a fifty Gun Ship, charged with a Convoy, full in the Sight of the Nation, to take all the

Blame

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But with what Equity and Impartiality, I ſubmit to the Honourable Committee.

Here I have been near a Twelve-month; ſeen Junior Flag-Officers promoted to the Rank above me; left to ſtruggle, without any Friend, with the greateſt Misfortunes and Difficulties to come at my Trial, the indubitable Right of every *Engliſhman:* And had Mr. *Mathews* labour'd and endeavour'd as much to obtain an Enquiry, as I have done, the neceſſary Evidences would have arrived to have perfected it before this Time, and entirely confuted the many ſcandalous Reports ſpread to blemiſh my Reputation.

I have nothing more to add, than that I hope, tho' I have not been arm'd for this Enquiry with my Evidence, yet I have given no Proof of conſcious Guilt, or a defective Cauſe.

The Perſecution of popular Clamour, and the Tortures of Miſrepreſentation and Calumny, have had their Days againſt me; but now the Time is at hand, when they muſt yield to Truth and Demonſtration.

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APPEAL

AGAINST

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[Price One Shilling.]

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The illegal Proceedings of Vice-Admiral *Mathews*,
TO THE

Late Lords Commiſſioners for executing the Office of Lord High Admiral of *Great-Britain*, &c. &c.

To which is annexed,

The LETTERS that paſſed between Captain *Opie* and Mr. *Corbett*, Secretary of the Admiralty;

WITH

An INTRODUCTION, ſhewing the Neceſſity of a Regulation in *Sea Courts-Martial*.

——————*Quis talia fando*
Myrmidonum, Dolopumve, aut duri miles Ulyſſei
Temperet a lachrymis? VIRG. Æn. ii. 6.

——————*A Tale like this*
Not ev'n the hardeſt of our Foes could hear,
Or ſtern Ulyſſes *tell without a Tear.*

LONDON:
Printed for M. COOPER in *Pater-noſter-row.*
1745.

INTRODUCTION.

CAPTAIN *Opie*'s Appeal againſt the illegal Proceedings of Admiral *Mathews*, is ſubmitted to the Conſideration of the Public, as a melancholy Inſtance, how much the Honour, Reputation, and Subſiſtence of a Sea-Officer depend on the Caprice and arbitrary Will of his Admiral, or Commander in Chief: That Merit, long Service, without Blemiſh or Cenſure, a ſteady Obſervance and an aſſiduous Execution of his Duty, do not always obtain him a juſt Reward, nor yet preſerve him from an unjuſt Puniſhment; that the Property of his Commiſſion depends more on the peculiar Humour of his Superiors, than the Juſtice of his Cauſe; and that without the low Applications of Servility, and becoming an abject Slave to the Paſſions of others, he may be truly ſaid to be in danger.

The firſt Article of the Flag Officers Inſtructions for holding Courts Martial, directs,

that all Courts Martial are to be held, Offences tried, Sentence pronounced, and Execution of ſuch Sentence to be done, according to the Articles and Orders contained in an Act of Parliament made in the 13th Year of the Reign of King *Charles* II. which Act is our Naval Articles of War, and all Officers concern'd are duly to peruſe them for their Inſtruction therein. Conſequently, if a Court-Martial miſtake the Senſe of theſe Articles, and adjudge any Puniſhment contrary to the Power and Meaning of them, the Sentence pronounced is illegal, as it exceeds the juſt Latitude of Law, Equity and Reaſon. In like Manner we apprehend this to have been the unfortunate Captain *Opie*'s Caſe, who neither broke his Inſtructions, nor violated the Articles of War, but acted agreeable to the Cuſtom at Sea, and the conſtant Practice of the Judges that try'd him; yet nevertheleſs, they brought a ſtrain'd Accuſation againſt him, to fall under two Articles of War, where there is an abſolute Contradiction and Incongruity, that manifeſtly proves want of Knowledge and Judgment in the Application: And tho' his preſſing Sollicitations againſt this Injuſtice did not prevail with the late Board of Admiralty; yet, ſuppoſing the Charge againſt him criminal, and ſupported by Evidence, if it was a Fault, it was one of an extraordinary kind, that of Lenity and Compaſſion, ſuch as Admiral *Mathews* himſelf committed immediately after paſſing the cruel Sentence on him; and it therefore appears he was humane and tender-

hearted

hearted, to ſuffer a Criminal to eſcape, whom he ſuppoſed to deſerve Death, as being guilty of Mutiny, but was inexorably ſevere to Captain *Opie*, becauſe he forgave this Criminal.

Here we have an extraordinary Inſtance of one Gentleman's being puniſhed for an Act of Humanity, after forty Years Service as a Commiſſion-Officer, diſmiſſed from his Duty, turn'd a-ſhore to travel Home at a great Expence; and when he arrived in *England*, unable to procure Juſtice againſt the Power and Intereſt of the Oppreſſor; while other Captains, who are ſaid to have neglected the Service of their Country on the Day of Battle, and ſuffered the Enemy to prevail againſt the *Marlborough*, the moſt notorious of Crimes that military Men could commit, were ſkreened from Juſtice, and continued in full Power and Authority. What are we to think of this violent Extreme of Severity againſt an inoffenſive and harmleſs Man, accuſed of Gentleneſs and Lenity; and ſuch an oppoſite Extreme of Paſſiveneſs and Forgiveneſs to Men, who were even in a kind of open Rebellion againſt their King and Country, by ſhamefully giving up the Intereſt and Glory of the Nation, hereby loſt and tarniſhed to ſucceeding Ages; but that the Commiſſion, Life, and Character of an Officer depend on the abſolute Will of the Commander in Chief, and that as no Innocence can be ſafe that has incurr'd the Diſpleaſure of a partial Judge; ſo no Criminal who has the good Fortune to be favour'd by him, can ever be in Danger.

We

We cannot help joining at preſent with the general Voice againſt Sea Courts-Martial; having had the other Day a ſurprizing Inſtance of one from the *Weſt-Indies*, where the Principals were only puniſhed with five Years Impriſonment and an Acceſſary with fifteen, which we ſuppoſe occaſioned the King's Mercy to interfere, and deliver the unfortunate Object of it from a ſevere and rigorous Sentence, while the Principals remain in Priſon, to endure the leſſer Puniſhment inflicted upon them.

All Grievances of this dangerous Nature, where the Subſiſtence, Character, and Life of an inferior Officer are on ſo precarious a Footing, well become the Conſideration of thoſe who now ſuperintend our Naval Affairs, and are ſo well diſpoſed to remove them. All Laws human and divine require, that the Intereſt and Property of the Inferior, ſhould be equally ſecured with that of his Superior; and to guard againſt Partiality and Injuſtice, it is to be wiſhed that ſuch Regulations as the following were effected, as they tend to pacify Diſcontents, and remove many real Grievances which are found to ariſe from the daily Practice of our Courts-Martial.

Firſt, That the next Officers to the Commander in Chief abroad, may always hold the Courts-Martial, as the latter may be ſuppoſed to have too great an Influence over the Captains who expect Preferments from him; and perhaps have

have already received their Commiſſions, which entitle them to ſit at the Court-Martial; and for this Regulation there ſeems to be the greater Neceſſity, as it has been known, that a Commander in chief has held a Court-Martial, where the Judges were Captains that were all promoted by himſelf.

Secondly, As ſubaltern Officers ſit at Courts-Martial in all other Services, that they may be entitled to ſit at our Courts-Martial, or at leaſt a Jury of them ballotted for on the Day of Tryal, in order to preſerve an equal Ballance, and prevent a Biaſs, which is natural for every Man to have to his own Rank and Commiſſion.

Thirdly, The ſixth Article of the Inſtructions directs the Judge-Advocate, when the Court is ſitting, to take Minutes of their Proceedings, and to adviſe them of the proper Forms, when there ſhall be occaſion, and to deliver his Opinion in any Doubts or Difficulties in their Methods, that may ariſe in the Courſe of the Tryal; that as it appears by this Article, a Judge-Advocate was firſt intended in the Nature of a Recorder in the Mayor's Court, that therefore ſuch a one may be appointed in every Fleet capable of this Taſk, and that he ſhould be a Perſon acquainted with Civil Law, and not a Sea-Clerk only, perfectly ignorant and unacquainted with Law, or the Forms and Methods of Tryal; and who is ſo far from being capable of

of adviſing the Court, that he is generally dictated and directed like a School-Boy.

Fourthly, The 5th Article of the Inſtructions directs the Judge-Advocate to examine the Witneſſes upon Oath, take down their Depoſitions in Writing, and ſhew the ſame to the Commander in Chief, who is to order him to ſend timely, before the Tryal, an atteſted Copy of the Charge, or Accuſation, to the Party accuſed, in order for his being better prepared for his Defence: But as this is ſeldom done until the Day before the Tryal, that every Perſon ſo ſoon as he is ſuſpended from his Duty or confined, may know his Crime in Writing, that he may not be ſuſpended and confined for one Crime, and try'd for another, which has often happen'd.

Fifthly, It is the Practice to put Subaltern Officers under cloſe Confinement to a Cabbin ſix Foot ſquare; on the contrary, if the Captains are ever confined, they have at leaſt the Liberty of the Ship; as if the lower the Rank was, the greater Danger and Prejudice might enſue from the Enlargement of the Officer: Therefore as this is a Practice of Tyranny, attended with dangerous Conſequence, may it be enacted, that no Officer be cloſe confined, unleſs where there is Danger, and his Majeſty's Service may ſuffer from the contrary.

Sixthly, That every Officer, where there is an Opportunity, may be try'd within a Month after his Confinement or Accuſation, and not kept

kept in Suſpenſe to the great Prejudice of his Majeſty's Service, and the Party concern'd.

Seventhly, That every Captain who confines his Officers injuriouſly, and cannot make good his Allegation againſt them, may be try'd and puniſh'd agreeable to Juſtice, and the Injury done to them.

Eighthly, The 4th Article directs, that if any Captain who is entitled by his Rank to ſit in the Court, be perſonally concern'd in the Matter to be try'd, he ſhall not be admitted to ſit on the ſaid Tryal. In like Manner no Admiral or Officer ſhould be admitted to ſit where the Perſon is to be try'd for a Breach of that Admiral's or Officer's Order, for they may be truly ſaid to be perſonally concern'd; and yet this is done every Day to the great Prejudice of the Perſon try'd, ſince thereby the Party againſt him is both Judge and Proſecutor.

Ninthly, That there may be an Appeal, if demanded by either Party, from one Court-Martial to another, whoſe Sentence ſhould be definitive; which we have had an Inſtance of in a Court-Martial in Queen's *Ann*'s Time, where Sir *John Leak* preſided, to a Court-Martial where Admiral *Aylmer* preſided.

Tenthly, That the Preſident ſhould ſtrictly adhere to the 7th Article of his Inſtructions, in which it is directed, that the youngeſt Officer ſhall vote firſt, proceeding in Order up to himſelf,

ſelf, and that he ſhould neither directly or indirectly captivate or allure the junior Officers, by diſcovering his own Opinion.

Eleventhly, That the Party may be permitted, if he thinks neceſſary, to plead againſt the Application of the Articles of War which the Court has judged him to fall under.

Twelfthly, That no Officer under an Accuſation or Confinement, may on any Pretence whatever be admitted to quit or reſign his Commiſſion: This having often been the Practice, whereby the Offender has eſcap'd Juſtice, and his Majeſty's Service ſuffered by his returning again into full Pay.

Captain

Captain *OPIE*'s

APPEAL

TO THE

Right Honble the Lords Commiſſioners for executing the Office of Lord High Admiral of *Great-Britain*, &c.

THE Appeal of Captain *John Opie*, late of his Majeſty's Hoſpital-Ship the *Sutherland*, againſt the illegal Proceeding of Vice-Admiral *Mathews*; who on tne 24th of *June* 1743, en board his Majeſty's Ship *Namur* in *Hieres-Bay*, called a Court-Martial upon him, and by a Sentence as cruel as fantaſtical, diſmiſſed him from the Service of the Hoſpital-Ship. Wherefore Captain *Opie*, as he is ſo greatly injured, from the common Regard that every Man has to his

Reputation, undertakes to prove to Your Lordſhips, that the Honourable Admiral has, to his infinite Prejudice, acted through the whole Courſe of his Trial, contrary to the Inſtructions eſtabliſhed by his Majeſty in Council; by Means the moſt arbitrary and oppreſſive, ſwerved from the Laws of Reaſon and Juſtice, deſcended from the high Character and Prerogative of Preſident, to the low Province of Accuſer and Proſecutor; and that this honourable Court-Martial have ſuffered Judgment to precede Evidence; that they have been either ignorant of the Senſe of the Articles of War, or miſtaken and miſled in their Conſtructions: Since nothing is more obvious, than that in their Sentence they have branded him with the Breach of two Articles of War, which will appear to your Lordſhips to have no Coherence with his Impeachment, nor ſeem any ways applicable to his ſuppoſed Crimes.

Captain *Opie*, after thirty-ſix Year's Service as a Commiſſion-Officer, without Blemiſh or Cenſure, now ignominiouſly diſcarded, is tortured with Anguiſh of Heart, and neceſſitated to treſpaſs on your Lordſhips Patience with a tedious Remonſtrance: Humbly imploring that the unavoidable Length of it may not check your Humanity, a candid and deliberate Diſcuſſion. To whom can he have Recourſe, but to that Fountain of Naval Juſtice, who does not impower their Vice-Admirals and Commanders in chief with the Privilege of doing wrong with Impunity, and whoſe Tribunal reſtrains the

the Superior from Oppreſſion, and preſerves the Inferior from Slavery?

The Secretary Mr. Scott's *Letter to Captain* Opie.

SIR,

Namur in *Hieres* Road, *June* 20, 1743.

I Take this Opportunity of giving you the earlieſt Notice, that the Admiral has been informed that your Maſter collar'd and inſulted you in a publick Manner on the Quarter Deck: As you have not judged it proper to acquaint him of it, nor deſired a Court-Martial for ſo great a Breach of Diſcipline; the Admiral thinks it ſuch a Neglect of Duty on your Part, that he intends to try you at a Court-Martial. I ſhall go on board of you, but am ſorry to ſay on ſo diſagreeable an Occaſion, as to take the Depoſitions.

SIR,

Your moſt humble Servant,

JOHN SCOTT.

Captain Opie's *Anſwer to Mr.* Scott *the Secretary.*

SIR,

Sutherland Hoſpital-Ship, *June* 20, 1743.

I Am obliged to you for your Letter of this Day's Date. I am ſorry I have incurred the Admiral's Diſpleaſure. If my Maſter has miſbehaved,

I have forgiven him.——I hope Lenity cannot be deemed a Fault. When you come on board to take the Depoſitions, you will be ſurpriz'd at the Information. My due Reſpects to the Admiral.

SIR,

Your moſt obedient Servant,

JOHN OPIE.

Mr. Scott's *Reply to Capt.* Opie.

SIR,

Namur, Hieres-Bay, June 20, 1743.

I Have received your Letter in anſwer to mine which I wrote to you this Morning, and communicated it to the Admiral, by whom I am commanded to acquaint you that he deſires you and your Maſter will prepare to be tried at a Court-Martial, and that neither of you will go out of the Ship. To-morrow I ſhall go to take the Depoſitions. I am,

SIR,

Your moſt humble Servant,

JOHN SCOTT.

Mr. *Scott* not coming next Day, according to his

his Promiſe in the above Letter, Capt. *Opie* wrote to him as follows:

SIR,

Sutherland Hoſpital-Ship, June 22, 1743.

IN obedience to the Admiral's Commands, communicated to me in your Letter the 20th Inſtant, I with my Maſter became Priſoners, expecting, conformable to your's, that next Day you would have come on board to have taken the Depoſitions; but I am diſappointed, which gives me the greateſt Uneaſineſs.—The Diſgrace of Confinement is very painful, and the Mortification much greater, when I am conſcious that I have not deſerved it, nor any ways incurred the Admiral's Diſpleaſure, to draw upon me his Cenſure. May I humbly beg that the Admiral would be pleaſed, the firſt leiſure he has, to call the Court-Martial upon me, flattering myſelf that I have behaved in ſuch a manner as not to be ſurpriz'd nor unprepar'd: But that an Examination into any Part of my Conduct, will, in the Opinion of the Admiral, always turn to my Advantage. I beg the Favour of your Anſwer, for while I am thus ſtigmatiz'd I cannot but be impatient until I am redreſſed. I am,

SIR,

Your moſt humble Servant,

JOHN OPIE.

The

The ſame Day in the Evening, the Judge Advocate, Mr. *Scott*, came on board to take the Depoſitions. The Phyſician, Dr. *Lydderdale*, born as a ſupernumerary on the *Sutherland*'s Books, who appeared by many concurrent Circumſtances to be the Informer, and the material Evidence to ſupport his own Information, was by an extraordinary Partiality which cannot be juſtified, admited into the Cabin all the while the Evidences were examining; conſequently he had the Opportunity to pick and cull from their Teſtimonies, and thereby form a Depoſition to corroborate the whole; ſuch an Oath as was ſure to bring Succeſs with it, and compleat Capt. *Opie*'s Deſtruction. And if this learned Gentleman was not the Informer, why was he ſo buſy, why ſo ſanguine as to call all the Evidence up to be ſworn, particularly the Centry *Hammet*, who ſwears as he does?—Theſe are truths known to every Officer on board of the *Sutherland*, and ſo notorious, that it is out of the Power of Mr. *Scott* to deny them, if he had never ſo great an Inclination to do it. In ſhort, the Doctor ſeemed to take upon him the whole Direction; and a Stranger ſtanding by would have taken him to have been the Judge Advocate, and Mr. *Scott* to be his Clerk. Such a Latitude in a Judge Advocate may be attended with the moſt pernicious Conſequences; and as this is a new Species of Cruelty, and a Method of Proſecution never known before, it ſeems calculated

culated to make his Defence impoſſible, to deprive Innocence of its Guard, and to let looſe Oppreſſion and Perjury upon him. What Juſtice or Humanity can truly be ſaid to reſide, where ſuch a Violation of the Rights of Mankind has met with Approbation? Surely this Iniquity cries aloud to your Lordſhips to interpoſe with your Authority to interdict ſo flagrant a Wickedneſs; at this Rate no Man's Fortune, Liberty, Life, or Reputation can be ſafe. The Judge Advocate will have it always in his Power to ſave or condemn; ever certain at the Mark he aims at. Capt. *Opie* would think it a great Extenuation of his Misfortune, if the deſperate Wound he has received was any way acceſſary in removing ſo injurious an Oppreſſion, ſo contrary to Cuſtom, common Honeſty, Law, and Reaſon.

Next Morning, on the 23d of *June*, the Doctor was very early call'd on board the *Namur*, and in the Afternoon he brought Capt. *Opie* this Meſſage, "That if he would quit his Commiſſion the "Admiral would be ſo gracious as to write home in "his Favour." But he ſent the Agent immediately back with this Anſwer, "That as his Conduct "had been uniform and juſtifiable, that as he was "ſupported by a Conſcioufneſs of having done no "more than his Duty, and ſtimulated by that ho-"neſt Senſe of Reputation which is always the "Concomitant of Innocence, he would not quit:

"But

" But if the Admiral would receive him into his " Favour, as ſoon as he would be pleaſed to give " him leave, he would be glad to wait on him." And while the Court-Martial was ſitting, Capt. *Opie* preſum'd to aſk the Admiral if he did not, the Night before, ſend him ſuch a Meſſage by the Phyſician; who with ſome Heſitation, acknowledged it: But, he ſaid, he did not expect that it ſhould have been mentioned there. Capt. *Opie* likewiſe deſir'd to know whether he ſhould repeat the Anſwer he ſent to it? But the Admiral forbid him, and ſaid there was no Occaſion. By which it appears that the Admiral wanted nothing more than the Vacancy; otherwiſe, why ſhould he offer to recommend a Delinquent to the Favour of the Lord High-Admiral? A Criminal who in his own Opinion deſerved the cruel Deſtiny he met with next Day. Hence it is eaſy to deduce, that if Capt. *Opie* had ſanctify'd his own Ruin with the Folly of writing to the Admiral for leave to relinquiſh his Commiſſion on account of the uſual Reaſon, (an ill ſtate of Health) he would have eſcaped this violent Stroke of mock Juſtice: The Injury done his Majeſty's Service in not hanging the Maſter would have been buried in Oblivion; this neceſſary Example to deter others from Humanity and Mercy, or, in the Words of Mr. *Scott*'s Letter, " Such a Neglect of Duty " in forbearing to bring his Maſter to a Court-Mar- " tial, for ſuch a Breach of Diſcipline," would have been entirely loſt; and the Government would have

have been duped of the unneceſſary Expence of one Captain more upon the Liſt. If your Lordſhips paid any Regard to Mr. *Mathews*'s Recommendation, or believed the egregious Falſhood which Capt. *Opie* brought home ſo many hundred Miles through *France* with him, it is poſſible that it might have eſcaped your Lordſhip's Penetration ſo long as he might have ſecured his Half-Pay. But what Perſon in Being would have imagined, that he was neceſſitated to accept of ſo cruel and tyrannical an Alternative, either to reſign his Commiſſion that he might have a Poſſibility of ſaving his Bread, or be thus broke, becauſe he was compaſſionate, and would not take a Man's Life away (who hereafter might be of Uſe to the Service) for a Crime he committed when he was Dunk and Unſenſible? Though he was far from expecting ſuch a Thunderbolt, yet he now rejoices that he was inflexible, and was not to be intimidated into his own Deſtruction, as the unhappy Captain [*a*] *Toller* was; depending on your Lordſhips Wiſdom and Juſtice to ſuppreſs all ſuch irrational and illegal Methods of Trial, and flattering himſelf that ſuch an unjuſt Sentence rather records Partiality, Diſhonour, and eternal Infamy upon his injudicious Judges, than any Enormity of his, or Breach of Articles of War.

[*a*] *Capt.* Toller *reſign'd his Commiſſion, rather than ſtand the Trial of a Court-Martial, which gave Mr.* Mathews *an Opportunity to make a Captain.*

On the 24th in the Forenoon, Capt. *Opie* was brought upon his Tryal, and for the Sake of Accuracy and Perſpicuity, he beſeeches your Lordſhips Indulgence, to repeat the fourth Article of the Admiral's Inſtructions in holding Courts-Martial, *viz.*

" All Complaints at Sea, or foreign Ports, upon " which the ſummoning a Court-Martial is to be " grounded, ſhall be made in Writing, to the " Commander in Chief (unleſs where the ſaid " Commander ſhall ſee Cauſe of himelf to call the " ſame.) In which are to be ſet forth the par- " ticular Facts, with the Place, Time, and in " what Manner they are committed: And if any " Captain, who is entitled by his Rank to ſit " in the Court, be perſonally concern'd in the " Matter to be try'd, he ſhall not be admitted to " ſit at the ſaid Tryal.

The original Minutes of the Proceedings of the Court will, in ſome Meaſure, prove to your Lordſhips what Regard the Honourable Admiral had to this Article. Before the Examination of Witneſſes, the Court was not open'd with any Circumſtances to teſtify the Neceſſity of ſummoning this Court-Martial; there was no Complaint or Information read for the Satisfaction of the Court, and the ſurpriz'd unprepared Priſoner, except ſome Articles on a looſe Paper unſigned, and unatteſted by any Authority whatſoever. On the other Hand, if the

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Preſident, for the good of his Majeſty's Service, thought proper to call it, it would have carried the Face and Appearance of Juſtice to have acknowledged this; and, if his Pre-eminence does not ſet him above an Obedience to the Inſtructions, to have ſet forth the particular Facts to them, with the Place, Time, and in what Manner they were committed. But nothing like this appeared: On the contrary, the Admiral not only judg'd, but with the utmoſt Efforts of Malice impeach'd and proſecuted, as he himſelf acknowledged: He examin'd without Bounds, and judg'd without Controul. An exorbitant and an uſurp'd Degree of unlimited Power, rigorous Diſcipline, and Severity of Command, may be the Characteriſtick of an Admiral; but ſurely your Lordſhips will think them inconſiſtent with a judicial Capacity. Why was not then the Admiral ſeparated from the Judge?

This Procedure Capt. *Opie* humbly apprehends to be unwarrantable in any Juſticiary, much more in a Court of Equity and Honour, created by your Lordſhips, and not fetter'd with the Rigour of the Law. When a Man is ſuppoſed to have either his Bread or his Life at Stake, or what is more valuable than both, his Reputation, it becomes the Candour and Juſtice of that Court who arraigns him, to give him all the Satisfaction and convincing Proofs in their Power, of the Fairneſs and Impartiality of their Proceedings, to rectify any Miſtakes which may appear in Circumſtances and

Formalities and even to exhort him to anſwer without Fear, if he appears to be daunted or intimidated at the Preſence of the Court; and if by his want of Dexterity, timely Notice, and want of Utterance, he falls ſhort of making a proper Defence, the Court ought to aſſiſt him.——It is this which makes it a Court of Mercy, and not of Rigour and Tyranny; it is this which proves a Court to have the Rights and Privileges of their fellow Creatures in the tendereſt and higheſt Eſtimation. What hard Meaſure is it then for a Preſident, who inſtead of this Evenneſs and Impartiality, takes upon himſelf by his aſſuming Authority, to over-awe and over-rule the aſking ſuch Queſtions of the Evidence as are conſonant with Juſtice and Reaſon, and plead for the Party accus'd! Conſummate Tyranny, commanding Silence, and uſing boiſterous and rough Language, which if it prevents the Freedom of ſpeaking in a Brother Member, it may well ſtrike the Priſoner dumb, and either incapacitate him from making any Defence at all, or confound him in ſuch a Manner that by his great Perturbation of Mind, Inadvertency and Sorrow, he becomes guilty of taking away his own Subſiſtance, Reputation and Life.

Agreeable to this Principle of Juſtice, and the foregoing Article, Capt. *Opie* thinks it was his indubitable Right to know his Proſecutor; but the Honourable Preſident, irreſiſtable and uncontroulable, refuſed him this Privilege; and if his Majeſty's Ser-

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vice could have poſſibly ſuffered from ſuch a Knowledge, and that was the real Cauſe that he was kept ignorant of it, at leaſt the Reaſons to vindicate this ſhould have been known to him. Mankind, when their Rights and Privileges are called in Queſtion, are extremely incident to Suſpicion, and the more ſuſceptible of it, when they find themſelves plunged in ſuch infinite Diſtreſs.——This hugger-mugger, this clandeſtine Dealing in the Dark, perfectly takes away a Man's Spirit. On the contrary, it would have given Capt. *Opie* ſome Life and Reſolution, a good Opinion of the Uprightneſs and Candour of his Judges, to have been made ſenſible that the Informer was not admitted to ſit, and aſſiſt at that very Court which voted his Deſtruction.——The Fifth Article of the ſame Chapter relating to Courts-Martial, runs thus:

" The Judge-Advocate is to examine the Wit-
" neſſes upon Oath, take down their Depoſitions
" in Writing, and ſhew the ſame to the Com-
" mander in Chief, who is to order him to ſend
" timely Notice before the Tryal, and an atteſt-
" ed Copy of the Charge or Accuſation to the
" Party accuſed, in order to his being the better
" prepared for his Defence.

Your Lordſhips will be aſtoniſhed (if after the former Tyranny any Act of Cruelty can) to find Capt. *Opie* complain, that according to this Article he ſhould have had an atteſted Copy of the Charge and

and Accuſation ſent to him before the Tryal, in order to his being the better prepared for his Defence; but he appeals to Mr. *Mathews* himſelf, whether he ever heard or ſaw the Depoſitions until they were produc'd in Court againſt him. The Phyſician and Judge-Advocate's Iniquity, (the Admiral's Meſſage, confeſs'd by himſelf in open Court) a Proof that it was not the Diſcipline of the Service that gave Birth to thoſe arbitrary Proceedings, but a ſtrong Deſire to make a Captain; and above all, this laſt premeditated and forelaid Snare, to wound and ſcrue him up into Hazards, and deprive him of all poſſible Means of Preſervation, ſufficiently teſtifies the Tricks and baſe Deſigns of his Adverſaries to take away his Bread at any Rate.

Since the ſuppoſed Crime which was *ten Months ago, ſeventy Leagues diſtant from Admiral *Mathews*, his powerful Proſecutors had Time enough to conſult his Ruin, and to try all Stratagems to deſtroy him. No Expedient was forgotten by which he might be oppreſs'd, nor any Method untry'd to procure Accuſations againſt him. Here he had not a Moment's Time, not knowing in the leaſt what could be charg'd upon him, and therefore could provide no Plea or Defence, for that which he knew not of.

Undoubtedly

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* *Ten Months before the Court-Martial was held.*

Undoubtedly this Article is a Teſtimony that his Majeſty in Council never intended, but that all Courts-Martial ſhould be impartial, and that no Man's Subſiſtance or Life ſhould be ſurprized from him, or that he ſhould be unhappily drawn into Nets and Snares to drill him on to his Deſtruction. Tho' an Admiral may break his Inſtructions with Impunity; tho' his Example may not be thought neceſſary to keep Order, and to recommend Diſcipline, attended with paſſive Obedience: Yet that Court can never be Legal, which acts contrary to its Inſtructions. No Sentence can be juſtifiable, if the Judge's Proceedings have been contradictory to the Conſtitution of the Court, and the Power which created it a Court. But this Honourable Admiral has forſaken this Principle of Juſtice, and purſued Meaſures by which the Guilty and the Innocent may be deſtroyed with equal Facility. All Caution is vain, and all Teſtimony uſeleſs: It is in vain that any Man means well, and acts prudently; it is in vain that he can prove the Juſtice and Prudence of his Conduct; Caprice will in our Courts-Martial ſupply the Place of Reaſon, and all Evidence muſt give way to Malice or to Favour.——

As a farther Aggravation of Capt. *Opie*'s Diſtreſs, having no Copy of the Minutes of the Court, he is thereby the leſs able to plead his Cauſe, and detect to your Lordſhips the farther Iniquity of his Procedure and Sentence. Next Morning after his Diſmiſſion he waited on the Admiral, beſeeching this Favour, who promiſed it before he ſailed from

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Hieres-Bay: But on the 26th being under Sail, early in the Morning, the Admiral in Bed, he could get no other Anſwer from the Secretary's-Office, than that there was no ſuch Thing order'd for him. Your Lordſhips will be pleaſed to obſerve, the only Impeachment which Capt. *Opie* has in his Cuſtody, is Mr. *Scott*'s the Secretary's Letter, who in the Name of the Admiral ſays, " That the " Maſter collared him, and inſulted him in a pub- " lick Manner on the Quarter-Deck. The Phy- " ſician to ſupport this, ſwears that he ſaw it. " But the Surgeon Mr. *Boyce*, the Carpenter " Mr. *Gregory*, the Quarter-Maſter at the Cun, " and ſome others who were on the Quarter- " Deck as well as this Phyſician, ſwear they ſaw " nothing of it.

Miraculous! ſome Body muſt be perjured, either Dr. *Lydderdale*, or his Opponents, who could not but ſee all over the Quarter-Deck. It is not bigger than your Lordſhips particular Office without any Obſtruction to the Sight, ſo that Mr. Secretary's Charge falls to the Ground, as it is diſprov'd. Indeed it was candidly acknowledg'd by Capt. *Opie* himſelf, that ſomething like an Inſult, two Months afterwards was offered to him in the Steerage, when he interpos'd between the Maſter and the Phyſician to prevent their Quarreling; and as this was in the Night, and a more private Place than the Quarter-Deck, in Courſe it could not be of that evil Example and bad Conſequence. That your Lordſhips may be the better enabled to judge

judge in this Appeal, and to do the Admiral and Capt. *Opie* Juſtice, that nothing may perplex your Apprehenſions, or eſcape your Scrutiny; that Mr. *Mathews*'s Inhumanity and injurious Treatment either as the Admiral, or the Judge, may be expoſed in all its glaring Colours to publick Cenſure and Chaſtiſement, or that Capt. *Opie*'s Miſconduct and Diſgrace may be ratify'd by your Lordſhips Approbation, in the Name of Equity:

He earneſtly implores, that you will be pleas'd to order this Admiral to ſend to your Secretary all the Minutes of the Proceedings of the Court; the Depoſitions ſuppos'd to have been taken on board the Hoſpital-Ship by the Judge-Advocate, which had no other Confirmation in Court, than the Deponents acknowledging the Subſcriptions to be their Hand-writing; the ſeveral Examinations and Depoſitions taken in Court from the ſame Perſons, all which muſt be atteſted by the Court; otherwiſe Capt. *Opie* apprehends that they will be picked, expatiated upon, extenuated to his Diſadvantage, with an Endeavour, if poſſible, to vindicate or mollify his Adverſary's Imperiouſneſs and Cruelty. After ſuch a Method of Proſecution, (which in Effect is to over-bear a Man by the Violence of Power, to take from him all the Securities of Innocence, and to diveſt him of all the Means of Self-Defence) what Confidence and Dependence can Captain *Opie* have upon ſuch a Judge's Integrity, whoſe Paſſions direct it? Such an Admiral's Honour, whoſe

Impetuoſity governs it? Therefore this Boon will be thought both Reaſonable and Equitable.

As Capt. *Opie* had no Copy of the Depoſitions, nor, after his Trial, a Copy of the Minutes of the Court, notwithſtanding the Honourable Admiral promiſed this Favour to him, it is impoſſible for him to point out with any Accuracy, the many Contradictions, Incoherence, and Malignity of them. He muſt rely upon your Lordſhips Sagacity and Penetration. However, in the great Confuſion and Hurry of Spirits he was in, he has not forgot that the Phyſician's Conjectures and hearſay Evidence were ſwallowed down very glibly. This wiſe Oracle, to load Capt. *Opie* beyond his Charge, impertinently and maliciouſly ſwore, that he countenanc'd the Maſter in cohabiting with one of the Nurſes, which occaſioned her to neglect her Duty: What was this to the Accuſation? He was not charged with encouraging immoral and diſorderly Practices; and yet, contrary to the Rules of Equity, and the Boundary in taking Evidence, he was ſuffered thus to play the Knave and Fool. The Surgeon, Mr. *Bogue*, who more particularly ſuperintends theſe Nurſes, ſwore, that this Nurſe never neglected her Duty, but that ſhe meſſed with the Maſter; which did not imply that ſhe lay with him. Neither could this eminent Phyſician, in the Rancour of his Heart, or Ardour to oblige, ſay, that he ever had complained to Capt. *Opie*, that the Maſter and this Nurſe

Nurſe lived this diſorderly Life, and that ſhe thereby neglected to attend upon the Sick. What a complication of Perjury and Iniquity is here! The Truth is this: Capt. *Opie*, in *November* laſt, at *Mahon* confined his Maſter; and the real Motive which induced him after a very ſubmiſſive Petition, to releaſe him, influenc'd Admiral *Mathews* afterwards to diſcharge him from his Ship, without bringing him to a Trial, which, according to the Articles of War, muſt have condemned him to die. Another perſuaſive Argument was, the preſerving a good Maſter (provided for by the Honourable Admiral) to his Majeſty's Service, who being till then a perfect Stranger to Military Diſcipline, might make a right Uſe of this Eſcape, ſince he had already had the Senſe to acknowledge his Folly and Mutiny; and he anſwered his Captain's Expectations, for he never had room afterwards to complain of his Behaviour. Then how abſurd is this! The Admiral breaks Capt. *Opie* becauſe he did not apply to him for a Court-Martial, which muſt have infalliby deſtroy'd the Man's Life; and he, the Moment after, in the Compaſſion of his Heart, takes upon himſelf to diſcharge the Maſter from the *Sutherland*, becauſe he was unwilling to put him to Death. Beſides, the Maſter on board an Hoſpital-Ship is the next in Command to the Captain, and the only Officer he could depend on, therefore could not be any Length of Time without a Maſter; and Capt. *Opie* continued at *Mahon* above ſeven Months,

abſent from the Admiral. If an Example was thought to be abſolutely neceſſary, by our *Diſciplinarians*, and no where to ſeek it ſo proper as an Hoſpital-Ship, why was not the greateſt Criminal pitched upon? The Maſter's Deſtruction would have carry'd the ſame Efficacy. But, alas! ſuch a Vacancy would not ſatisfy the Admiral; it was not wanted. Another Inducement which weighed a great deal with Capt. *Opie*, was, an Opinion that he had a Power to forgive him: The only Article in the Inſtructions any ways relating to this, is the fifth in the Chapter of Rules of Diſcipline, &c. Capt. *Opie* begs leave to tranſcribe it, *viz.*

" The Captain is never by his own Authority " to diſcharge a Commiſſion or Warrant-Officer, " nor to puniſh nor to ſtrike him; but if they " are diſobedient to Command, or behave them- " ſelves ſo ill that he judges them unfit for their " Duty, he may ſuſpend or confine them; and " when he comes in the Way of a Commander in " Chief, apply to him for holding a Court-Martial, " otherwiſe he is to acquaint the Secretary of the " Admiralty therewith.

This Article authorizes the Captain to ſuſpend, or confine any of his Officers who behave themſelves ill; but ſurely the Word *may* does not imply that he is hereby forbid to forgive or releaſe any ſuch Offender; no, it does not at all reſtrain him from ſuch

ſuch a Latitude : For had it been ſo, or the Intentions of the Lords Commiſſioners of the Admiralty, who recommended theſe Inſtructions to the King in Council, it would have been expreſsly mentioned; the Prohibition would have been expreſt in the plaineſt Terms, as in the ſucceeding Article, where any Officer under the Captain is forbid to puniſh, but to order Confinement, from which however he is not to releaſe the Offender before the Captain's Return on board, and then give him an Account of the Reaſons for ſo doing. Capt. *Opie* likewiſe appeals to the common Cuſtom of the Navy, even to the Conſciences and Actions of the Judges who tried him, whether in all their Experience, as Captains or Lieutenants, they have not daily ſeen Officers confined, and releaſed upon proper Submiſſions, unknown to the Lords Commiſſioners of the Admiralty, or the Admiral who commands in Chief abroad; ſo common is this, that Capt. *Opie* will take upon himſelf to ſay, he has often heard it acknowledged at Courts-Martial, and pleaded by the Captain who brought his Officer to a Trial, as an Inſtance of Lenity, as an Aggravation of the Offender's Fault, and a Proof that meer Neceſſity, as repeated Pardons had no Influence, forced the Captain to apply for a Court-Martial. If it is unjuſt to puniſh one Man for the Crimes of another, Capt. *Opie* aſks theſe honourable Gentlemen, if it is not likewiſe unjuſt to chuſe one Man out for Puniſhment from among many others equally

qually guilty? But as no Criminal who has the Happineſs to be favoured by partial Judges can ever be in Danger, ſo no Innocence can be ſafe that has incurred their Diſpleaſure.

Deſertion, uttering Words of Sedition, and Mutiny, quarreling with a Superior, ſleeping upon their Watch, or negligently performing their Duty, Robbery, and Theft, are to be puniſhed by Death, according to five Articles of War; yet how often have all theſe Gentlemen forborn to bring theſe Criminals to a Court-Martial? It is ſo daily repeated, that it cannot be denied; and yet they have condemned Capt. *Opie* becauſe he forgave his Maſter, agreeable to Cuſtom, and their own Practice. And if Mercy is a Crime, it is neither prohibited in the Articles of War, nor in the Inſtructions: They have made a Scourge which ſome time or other will flea them all alive; and if ſo wicked an Introduction is not immediately ſuppreſſed, no *Star-Chamber* nor *Inquiſition* ever exceeded ſuch Tyranny. The Lord High-Admiral for the Time being, and all Commanders in Chief, will be teaz'd to Death with inceſſant Complaints and Mournings; the all-ſufficient Man who led the Way to ſuch a Vexation, and an unmerciful Reſtraint, will be univerſally deteſted by the whole Navy, and loaded with Execrations by an unanimous Voice; he will be conſidered as the Author of many Miſeries, and the Source of end-

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leſs Trouble. But as it has no other Tendency than to multiply Grievances and eſtabliſh a Precedent of Oppreſſion, it is impoſſible it can ſtand before the Stroke of Time.

Diſcipline is an indeterminate Word, and it is no eaſy Taſk to define the Limits of it, either where it begins or ends. Captain *Opie*'s Judges have not yet learned to diſtinguiſh between Tyranny and Diſcipline, between Arrogance and Authority: The only Rule of their Government is their Will and Pleaſure, and that is what many Captains call the Diſcipline of the Service.

The Articles of War which they have found him guilty of breaking, are the thirty-firſt and thirty-third. The thirty-firſt Article ſays, *viz.*

" All Captains, Officers, and Seamen, ſhall do " their Endeavours to detect, apprehend, and bring " to Puniſhment all Offenders, and ſhall aſſiſt the " Officers appointed for that Purpoſe therein, upon " Pain to be proceeded againſt and puniſhed by the " Court-Martial at Diſcretion.

The above Article concerns the Provoſt Martial, he is the proper Officer appointed for that Purpoſe; but if a Criminal flies from Juſtice, then indeed all Captains and Officers are hereby obliged to aſſiſt him in the Search, and forbid to conceal the Fugitive, Crimes too often of a dangerous Nature or Tenden-

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cy, which are to be revealed, ſuch as Treaſon, or any Action whereby his Majeſty and Government may ſuffer. Your Lordſhips will find this Article ſubſequent to that which ſubjects the "Provoſt "Martial to the ſame Puniſhment, if he ſuffers the "Priſoner to eſcape, as would have been inflicted "upon the Party diſmiſſed." Can any thing be more obvious, than that the Intention of this Article was to oblige all Officers to aſſiſt the Provoſt Martial upon a preſſing Exigency, his Application, and in ſuch a Manner as the Strength and Security of the Offender's Sanctuary might require, and not to conceal a Crime or a Criminal to the Prejudice of his Majeſty's Service? But this Injunction hardly reaches ſo far as to oblige a Captain to deſcend to be a Hangman's Follower, or an odious Informer of what was not attended with any ill Conſequences. Has this Article then any Affinity with his ſuppoſed Crime? Does it forbid the Lenity he ſhewed to his Maſter? To what a wretched baſe Purpoſe is it wreſted and converted! But as there is a Degree of Wickedneſs, which no Argument can reclaim; ſo there is a Degree of Stupidity, which no Inſtruction can enlighten.

The thirty-third Article is as follows, *viz.*

"That all Faults, Miſdemeanours, and Diſorders "committed at Sea, not mentioned in this Act, ſhall "be puniſhed according to the Laws and Cuſtoms "in ſuch Caſes at Sea." Theſe upright wiſe Judges,

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by a Gift of Penetration, which is incomprehenſible, found out ſome Similitude between Captain *Opie*'s Lenity, and that Crime which is expreſt in the 31ſt Article, upon which they condemn him; and by this Senſe adjudge the Act of Parliament to enact what is contrary to the Laws of God, and the Reaſon of Things: *Yet here their profound Wiſdom does not ſtop, but by a wonderful Fatality to make the Game perfectly ſure,* they lug in likewiſe the thirty-third Article, which intimates that his Crime is not mentioned in this Act; in courſe they falſify the former Article, which ſtands as a Proof of their Stupefaction and Ignorance in the Application: And by this laſt Article their ſearching Genius hath directed them to puniſh him according to the Laws and Cuſtoms in ſuch Caſes at Sea. Admirable Policy, Subtility of Wit and Invention!

Now Captain *Opie* humbly beſeeches your Lordſhips to aſk theſe cunning Men, what Cuſtom or Law was ever uſed at Sea, which thus authorizes the Puniſhment of Mercy and Compaſſion. Is not he the only Man who ever ſuffered upon ſuch an Account? Is not he the firſt Precedent of ſuch an unheard-of Barbarity? Let them with all their Ingenuity point out but another, and he will with great Reſignation ſubmit to this iniquitous Decree, and no longer call upou your Lordſhips for Redreſs, or in the leaſt murmur at the Injuſtice of their Sentence. What

a Contradiction is here? They puniſh a Man contrary to the Cuſtom at Sea, and their own daily Practice, and yet claim this Article (which proves that they have broke the Articles of War) to capacitate them to puniſh him contrary to the Power of it: An Abſurdity paſt their Explanation, and the Comprehenſion of Mankind. Captain *Opie* begs Leave to recapitulate this Defence. It appears that the Honourable Admiral was more eager of a Vacancy than of Juſtice, or making an Example to ſupport the Diſcipline of the Service, and more ſolicitous to deſtroy than to convict. The Phyſician's Iniquity, his controverted Evidence, the Judge Advocate's Breach of Juſtice and Integrity, the Admiral's Confeſſion that he ſent Captain *Opie* a Meſſage deſiring him to quit, and in that Caſe, he would write Home in his Favour: The Admiral's repeated Breaches of his Inſtructions, and excluding the common and juſtifiable Method of Procedure, whereby Captain *Opie* was rendered unable to defend himſelf; the Malice in bringing him to anſwer ſo long after the ſuppoſed Crime was committed, which was ten Months. The three laſt was under his Flag in *Hieres* Road, and no Notice taken of it before.—Nor are there ſuch Evidences to ſupport the Accuſation (allowing it to be culpable) contained in the Secretary's Letter, as the Laws of every Country require to be produced before any Man can be puniſhed, cenſured or diſgraced. And why this Man ſhould be treated in a different Manner than any

other

other Criminal, it is incumbent on Mr. *Mathews* to diſcover to your Lordſhips. Theſe are Demonſtrations, that an ill uſe of Power and an unwarrantable Authority have been exerted, which plead Captain *Opie*'s Cauſe, and teſtify the Illegality, Iniquity and Malignity of the Court, their Proceedings and Sentence.

There remains only a Reaſon to be given why his Brother Captains, who every one of them ought to have had an equal Voice, and an equal Authority in this Court-Martial, ſhould have been influenced to give a Judgement not ſupported by Evidence, or conformable to Truth; that they ſhould eſtabliſh a Precedent that will often revolve upon themſelves. To this Captain *Opie* dares anſwer, that few of them are independent and left to the Deciſion of their own Judgment. A falſe Gratitude, a ſervile Dependence and Intereſt (at ſo eaſy a Purchaſe, as the Expence of Truth) all combine againſt Captain *Opie*, and prevail upon his Judges to receive implicitly the Dictates of their Leader, which they utter as his Organs. If it is not ſo, it is incumbent upon them to defend the Application of his Crime to the Articles of War, and their memorable Sentence.——But after all, if it ſhould not be your Lordſhips Pleaſure to reverſe this Sentence by ſome conſpicuous Mark of your Diſapprobation, to the general Satisfaction and Benefit of the Navy, but file

it againſt Captain *Opie* as a laſting Monument of his Folly and Incapacity to command, a ſtanding Record to deter others; and hereafter this unhappy Man ſhould be thought more deſerving: Yet it would be injuring his Majeſty's Service to employ him again; for the Sanction you now give this Tryal, would make him an implacable Tyrant, and an Enemy to Mankind.

As no Puniſhment is heavier than that of Infamy, and Shame, has by generous Minds been avoided at the Hazard of every other Miſery; Captain *Opie*, begs that your Lordſhips would pardon the great Warmth and Earneſtneſs with which he pleads for a Salve to this dangerous Wound, which the Service has received through his Sides. However, he hopes that the Bounds of Decency have not been tranſgreſſed by him; and as it is the Prerogative of Innocence to expect Friends and Aſſerters in Diſtreſs, he entirely depends on your Lordſhips. When he reflects on his own Conduct, and his Loſs of Subſiſtence in the Decline of Life, after ſuch a Length of Service; when he obſerves the Security of thoſe who are the Authors of his Misfortunes; it is impoſſible for him to contain his Reſentment, and ſometimes he may ſtart into unbecoming Tranſports, and ſpeak in Terms not very ceremonious, of ſuch deteſtable Judges, who have thus diſcarded him in ſo ignominious a Manner, his Reputation irreparably deſtroyed, robbed of the Eſteem of his Friends, and marked

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out to the World, and repreſented to Poſterity as unworthy of Command, and your Lordſhips Favour.

Your Lordſhips

Moſt Obedient,

Moſt Humble

and moſt Devoted Servant,

JOHN OPIE.

Captain *Opie* attends your Office, and waits in Town on Purpoſe for your Commands.

Captain

Captain Opie's *Letter to Mr.* Corbet, July, 1744.

SIR,

IT is now about ten Months ſince I appeal'd to my Lords Commiſſioners of the Admiralty, without any other Satisfaction, than the vain Hopes that their Lordſhips wou'd in their great Juſtice and Goodneſs be pleaſed to take me into their Conſideration, and vindicate my Character; but I have hitherto been diſapointed, in ſo much that I begin to think myſelf altogether forgotten: And I imagine it to be incumbent on me to put you in mind, that when my Appeal was read to their Lordſhips, you was pleas'd to tell me in their Name, that they were ſatisfy'd that I had been greatly injured by Mr. *Mathews*; and added, that they would provide for me, even to my Wiſh, or better than I could deſire: Since which I have attended in Town, at a great Diſtance from my Habitation, and at an extraordinary Expence, without Succeſs. I therefore humbly beg that their Lordſhips will determine what to do with me, that I may thereby know what I have to truſt to. The Hopes of their Favour has hitherto preveſted me from Printing my unfortunate Caſe, in order to preſerve my Reputation.

I am, SIR,

Yours, *&c.*

J—N O— E.

Captain

Captain Opie's *Letter to Mr.* Corbet, July, 1744.

SIR,

ABOVE ten Days ago I troubled you with a Letter, begging to know their Lordſhips Determination in regard to me; but my Suſpence and Misfortune are continued to me, as I have not had the Honour of an Anſwer. If their Lordſhips wou'd be pleas'd to conſider the Injuſtice that has been done to me by the Honourable Admiral *Mathews*; likewiſe, Sir, your Anſwer to me in the Name of the Board, at the Time I preſented my Appeal, they would neither be ſurprized at my Uneaſineſs, nor this Repetition of Trouble.—— Since which, as a farther Aggravation of my Diſtreſs, depending on your Anſwer, I have at a great Expence, diſtant from Home, attended the Office now almoſt a Year, in full Hopes and Expectation of their Lordſhips Juſtice, to wipe off the Stain and Ignominy of an iniquitous Sentence, whereby I have ſuffered ſo greatly in Reputation, Subſiſtence, and the Eſteem of my Friends. I humbly beſeech your Anſwer.

I am with great Reſpect,

SIR, Yours, &c.

J——N O——E.

Captain

Captain Opie's *Letter to Mr.* Corbet, July, 1744.

SIR,

I Am ſorry my Caſe ſhould be ſo unfortunate, as to oblige me to be troubleſome; but once more I addreſs you, begging their Lordſhips Anſwer in regard to me, after what I have gone through in being depriv'd of my Bread, contrary to Juſtice and Reaſon. In appealing to their Lordſhips, who at firſt were ſo well ſatisfy'd and convinc'd of the Oppreſſions I labour'd under, that you, Sir, in their Name, promis'd me Redreſs and Proviſion; but as an Addition to my Diſtreſs, I have ſuffer'd ten Months Diſappointment, and now have not Intereſt enough to procure one Syllable in Anſwer to my repeated Applications. Tho' I have all the Reſpect in the World for their Lordſhips, their Deciſions and Judgment; yet as I am oblig'd to leave the Town unprovided for, in Vindication of my own Reputation, I muſt now have Recourſe to publiſhing my Appeal to their Lordſhips, that the World may be made ſenſible how unjuſtly I have been robb'd of my Subſiſtence, after forty Years Service as a Commiſſion Officer.

I am, SIR,

Yours, &c.

J——N O——E.

Captain

Captain Opie's *private Letter to Mr.* Corbett.

SIR,

July, 1744.

I Have lately wrote three Letters to you on his Majeſty's Service, ſolliciting their Lordſhips Conſideration, to which I have had no Anſwer: Therefore as a Friend to an injured Officer, and oppreſs'd Innocence cruſh'd by Violence, who has not by any Act of his forfeited your Eſteem of Power and Protection, I beg to know from you what I have to truſt to, or whether or not the Hopes of Proviſion being made for me adequate to the Injury receiv'd, built on your Promiſe, will not now turn out Vanity and Vexation of Spirit. I am with the greateſt Reſpect, waiting your Anſwer in the Office,

SIR,

Yours, *&c.*

J——N O——E.

Captain Opie's *Letter to Mr.* Corbett, Aug. 6, 1744.

SIR,

THOUGH their Lordſhips have been pleaſed to order me on the Half-pay, from the Day I landed in *England*; yet as I feel the Oppreſſion, Sir, ſo ſenſible, with every Aggravation of Diſtreſs, I cannot think this Inſtance of their Conſideration adequate to the Injuſtice that has been done to me. Either my Judges have determined righteouſly, or unrighteouſly; conſequently I have either no right to the Half-Pay, or to more, as the Half-pay will never make Reparation to me for the Loſs of Reputation, the great Expence I have been at in coming home, as well as attending their Lordſhips at their Office.——Their Lordſhips Penetration is too ſearching not to ſee from my Appeal, the Malignity and Illegality of my Judges, whom I hold in Defiance, knowing full well that I have ſtated nothing but Matter of Fact, ſupported by the ſtrongeſt Conviction that Evidence can furniſh; but indeed, Sir, the Cruelties I have met with is notorious to the World, and I have long depended on their Lordſhips Juſtice and Redreſs, in the Promiſe which you was pleaſed to make me, after this memorable Appeal had been preſent-

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ed. I thank Heaven I have wherewithal to ſubſiſt; and if their Lordſhips will not, in their great Goodneſs, be pleaſed to appoint me to the Command of one of his Majeſty's Ships, whereby this Stain may be obliterated, and my Character juſtified, I think I cannot in Honour receive what in the Opinion of Mankind will forever deem me guilty, and deſerving of ſuch unheard-of Treatment. I therefore beſeech their Lordſhips to be ſo good as to employ me, according to my Application, Hopes, and conſtant Attendance for theſe ten Months paſt, which can only reſtore me to the Eſteem of the World, and reverſe an unjuſt Sentence that is an Ignominy to the Martial Juriſdiction. When their Lordſhips conſider my unfortunate Caſe, they will be prevailed on to forgive this Repetition of Trouble.

I am,

With great Reſpect,

SIR,

Yours, &c.

J-----N G-----E.

Mr. Corbett's *Letter to Capt.* Opie.

SIR,

Admiralty-Office, Aug. 7, 1744.

I Have received your Letter of yeſterday's Date, deſiring to be appointed to command one of his Majeſty's Ships, which I have read to my Lords Commiſſioners of the Admiralty, and am,

SIR,

Yours, &c.

T-----s C------TT.

Captain Opie's *Letter to Mr.* Corbett. Auguſt 8, 1744.

SIR,

I Have juſt now received the Honour of yours, acquainting me, that you had communicated my laſt Letter to their Lordſhips. But really, Sir, this

this is no Anſwer: Depending on your Promiſe, from their Lordſhips, I have waited in Town ſo long a Time; and now ſhould I leave it to go home two Hundred and Thirty Miles off, perhaps their Lordſhips might ſoon recollect this Promiſe, and ſend for me, which would be an Addition to my Trouble and Expence; on the contrary, ſhould I continue in Town, in daily Expectation, and Diſappointment, this would more encreaſe my Pain, Expence, and Trouble. I humbly beg, therefore, their Lordſhips Determination in regard to me, ſince I cannot look upon the Half-Pay as any Recompence, whilſt my Character continues to ſuffer.

I am,

SIR,

Yours, &c.

J------N O------E.

Capt.

Capt. Opie's *private Letter to Mr.* Corbett, Aug. 8, 1744.

SIR,

IF you have my Intereſt at Heart, or would eſpouſe me, in oppoſition to the greateſt Oppreſſion, I humbly beg your Anſwer what I have to truſt to. You know very well, that from the beginning you was pleaſed to adviſe me to refuſe the Half-pay; now I deſpiſe it. —— Your Letter acquainting me, that you had read mine to their Lordſhips, is no Anſwer at all, conſidering my preſent Situation, as it leaves me at as great an Uncertainty as ever, after this tedious Attendance. I beſeech, therefore, you would tell me, what I may expect, that I may arm myſelf accordingly, and at laſt do my Character Juſtice by publiſhing my Caſe to the World.

I am,

SIR,

Yours, &c.

J-----N O-------E.

Capt.

Mr. Corbett's *Letter to Capt.* Opie.

SIR,

Admiralty-Office, Aug. 9, 1744.

I Have read your two Letters of this Date to the Lords Commiſſioners of the Admiralty, who are not uſed to give particular Anſwers to ſuch Queſtions as you aſk; but their Lordſhips will employ his Majeſty's Officers when they think proper.———As to myſelf, I muſt deſire you to recollect things better in your Memory, and not to charge me with what I never could ſay, having never adviſed you to refuſe your Half-pay; tho' I ſhould be glad, for my own particular, to ſee you in Whole-pay, as I wiſh you well, and am ſincerely,

SIR,

Yours, &c.

THOMAS CORBETT.

Capt.

Captain Opie's *Letter to Mr.* Corbett.

SIR,

10 *Auguſt*, 1744.

I Receiv'd the Honour of your Letter; but I cannot leave the Town with any Satisfaction to enjoy the Country, without endeavouring to extenuate what their Lordſhips ſeem to have taken amiſs.——— If I have offended, it proceeds from meer Ignorance and Inadvertency, not from the leaſt Diſreſpect.—— I conceiv'd, when any of his Majeſty's Officers were aggriev'd, or apprehended themſelves to be ſo, (and I am ſure I have felt, and do now feel a Grievance which will admit of no Aggravation) that they had an indubitable Right to appeal to that Fountain of naval Juſtice, who does not impower their Admiral and Commanders in Chief with the Privilege of doing Wrong; who always attends to thoſe Complaints, which are found to ariſe from real Grievances; and are ever ſollicitous to remove all Difficulties, prevent and pacify Diſcontents. In this Apprehenſion, Sir, I preſented my Appeal, vainly flattering myſelf that their Lordſhips could not hear of my Diſtreſs without Sympathy, and delivering me from it: And indeed I thought I had ſome Conſolation and Encouragement to ſtay in Town, from the Promiſe you made to me in the Name of the Board,

Board, that I ſhould be provided for, even beyond my own Wiſh and Heart's Deſire. This Promiſe I liv'd upon for ten Months, being no otherwiſe Importunate than attending the Office, and as Occaſion offered, modeſtly making a Bow and a Scrape. But upon ſeeing Officers write to you, even on the moſt trivial Occaſions, ſuch as Leave to be abſent from their Duty, and receive your Anſwers; I bethought myſelf, conſidering my Circumſtances, in ſhort, the greateſt Concern I have in Life, and your Promiſe, that it would be no Crime to addreſs you, to put their Lordſhips in Remembrance of me, and of my conſtant Attendance, and even to expect an Anſwer thereto, as I daily ſaw other Officers receive the Favour of Anſwers, as well as being told that every Man who preſents a Petition, is either entitled to a Grant or Refuſal. Such a Conſtruction then, and waiting ſo long in Suſpenſe, made me preſume to become ſo troubleſome; and I am griev'd to the Heart that I ſhould have thereby incurr'd their Lordſhips Diſpleaſure. I was greatly ſurprized to find that you had read my private Letter to their Lordſhips: It was a Letter wrote to my Well-wiſher, and not intended to be communicated to the Board.——I am aſtoniſh'd you ſhould forget your Advice to me in Regard to the Half Pay, which was attended with many other Circumſtances very freſh in my Memory, and am deeply concern'd to find you diſpleas'd at my mentioning it.—— I ſhall leave the Town To-

morrow's Afternoon; if you will honour me with your Commands, no Man will execute them with greater Pleaſure than,

SIR,

Yours, &c.

J——N O——E.

FINIS.